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# A MONOGRAPH ON PLEBISCITES

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# A MONOGRAPH ON
# PLEBISCITES

## With a Collection of Official Documents

BY
SARAH WAMBAUGH

PREPARED UNDER THE SUPERVISION OF
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for International Peace

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# INTRODUCTORY NOTE

From time to time a plebiscitum has been held by the interested nations in order to ascertain the sentiment of a community in the matter of transfer of the allegiance of the inhabitants of a given territory which, by agreement of the nations involved, is to be ceded from one country to another. Within recent years the doctrine of plebiscites based more or less upon isolated practice has found its way into treatises on international law. The treatment of the doctrine, however, has hitherto been fragmentary and the documents upon which the doctrine is based have not hitherto been assembled.

In the belief that an exposition of the theory and practice of plebiscites as applied to States would not only be valuable historically but that it would be of service to publicists having to deal with such questions, Miss Sarah Wambaugh has collected for the Division of International Law of the Carnegie Endowment for International Peace, the documents relating to this subject and has prefixed to them a monograph in which she lays before the reader the result of her investigations in this interesting but hitherto unexplored domain.

The importance and timeliness of this volume are very great. It is important in that it is the first adequate treatment of the subject, laying before the reader, as it does, in the original language, and in English translation whenever the original text is in a foreign tongue, documents relating to plebiscites which have never before been brought together and whose very existence has not been suspected even by persons interested in the subject. It is timely in that the Treaty of Peace between the Allied and Associated Powers and Germany, signed at Versailles, June 28, 1919, provides for plebiscites to be held in many instances.

In view of these facts, Miss Wambaugh's volume has a present interest not merely for the student of international law, but for the statesman, diplomat, and expert called upon to deal with plebiscites in the concrete cases provided for by the various treaties putting an end to the War of 1914.

JAMES BROWN SCOTT,
*Director of the Division of International Law.*

PARIS, FRANCE,
*July* 15, 1919.

# PREFACE

Late in the autumn of 1917 I was asked by Dr. James Brown Scott, Director of the Division of International Law of the Carnegie Endowment for International Peace, to prepare a monograph, with a collection of documents, on the history of the doctrine of national self-determination in changes of sovereignty. The present monograph was accordingly undertaken under his supervision.

It had been hoped that the monograph could be published at an earlier date, but the study has proven to be a much heavier task than was expected. Research has disclosed many more instances of recourse to the doctrine than those which are enumerated in the treatises on international law or in the general histories, yet at the same time the collection of documents illustrating the various instances has proven to be unexpectedly copious. Careful intensive study of the history of each country treated has been necessary. Most of the cases have involved controversial questions, and thus a careful appreciation and statement of each side has been imperative.

The monograph has been scrupulously limited to the doctrine with reference to changes of sovereignty. Material regarding the numerous plebiscites to determine the form of government or the personality of the sovereign, such as the plebiscites of Napoleon III, Greece, Rumania, Belgium and Norway, has been excluded from consideration as such a study, although it might be of great interest, deals with a theme essentially different from that of separation, cession or annexation.

There has been no attempt to present data on the many territorial questions which have become acute since 1914, or of the several plebiscites which rumor has told us have taken place since then, nor did the author conceive it to be part of the scope of this study to present a plan for the settlement of such questions.

Doubtless some cases which might be considered at first thought to be germane to its purpose have been omitted. The self-determination of the United States was omitted deliberately for two reasons: one because our independence was the result of a successful war and not of a resort to ballot, which came later; the other because, if it were put in its proper chronological position in the collection, it would make the doctrine appear to be derived from our revolution, which was not the fact. The American Revolution had more of a national than international aspect, so far as it affects this question. It made no change in the application of the theory of conquest or annexation, probably because these problems did not immediately confront the leaders, and in the later annexations of Louisiana and Florida the principle was not followed — a fact attributable, perhaps, to the sparsely populated condition of those territories.

It may be thought that the case of the union of Wallachia and Moldavia into Rumania should have been omitted, and indeed the author is aware of having possibly stretched a point in including it as a change of sovereignty. The Principalities were, however, called sovereign States, although they were under Turkish suzerainty, and effected their union of two sovereignties into one by means of two appeals to popular vote. The case has been included because it presents the first, and so far the only, instance of an international commission to administer a vote.

Of the cases included, those of the French Revolution and of Italy are instances of separation and integration. Savoy and Nice in 1860, the Danish West Indies in 1867, St. Bartholomew in 1877, and Tacna and Arica, still unsettled, are instances of cession which involve separation and integration. Moldavia and Wallachia are an instance of union or, perhaps, integration. Schleswig is an instance of division and cession, a project long discussed and still unfulfilled. The last case, that of Norway, is an instance of separation of a technically sovereign State from a technically voluntary union and therefore presents a novel problem of change of sovereignty.

The term plebiscite in its common meaning connotes universal male suffrage. In many of the cases included which obviously belong within a discussion of the doctrine of self-determination the vote was by a limited suffrage and was usually for delegates, instructed as a rule, to an assembly *ad hoc*. This is true of most of the votes of the French Revolution, of Moldavia and Wallachia, the Italian votes of 1859 and that of the Ionian Islands. In the Italian votes of 1848, 1860, 1866 and 1870 a plebiscite in the accepted sense was used. The electorate included practically the whole male Italian population, whether literate or not. This was also true in Savoy and Nice, and in the votes of St. Bartholomew and the islands of St. Thomas and St. John.

In all the cases where the original text of the documents has been available it has been given. Extracts have been made where space could be economized without sacrificing accuracy in presentation. The translations are, as far as possible, taken from well-known sources, such as the *British Parliamentary Papers*. Where there is no statement of the source of the translation it has been made especially for this monograph. Care has been used in correcting these translations and in harmonizing the translation of corresponding words in different languages, but doubtless mistakes and inconsistencies occur. Owing to the numerous citations the title of each work is cited only in the first reference. In succeeding references it is referred to by the author's name only. In each case the full title will be found in the list of authorities. The legends, names of countries, places, rivers, etc., on the accompanying maps have been left in the language used on the original maps of which they are reproductions.

I am most deeply indebted to the Carnegie Endowment for International Peace for making possible the publication of such an extensive work, and to the skillful advice of Dr. Scott in its original planning.

The better to interpret the numerous problems presented, I have availed myself of the kindly assistance of many people — historians, international lawyers and diplomatists — to all of whom I also wish to express the warmest gratitude. As for the invaluable aid and courteous assistance given by the several librarians to whom I have taken baffling questions, no acknowledgment would be adequate.

S. W.

WASHINGTON, D. C.,
*March* 6, 1919.

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1798 The Republics of Mulhausen and Geneva annexed to France after votes of citizens.

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1856 Reorganization of the Danubian Principalities. The Treaty of Paris established a European Commission to consult with Assemblies *ad hoc* in Moldavia and Wallachia. Signed April 27, 1856.

1859 The Italian National Assemblies of 1859. Tuscany, Modena, Parma, Piacenza, and Romagna.

1860 The Italian Plebiscites of 1860. Tuscany, Emilia (Parma, Modena, Romagna), Naples, Sicily, the Marches, and Umbria annexed to the Kingdom of Sardinia after plebiscites.

Savoy and Nice annexed to France after plebiscites. The Treaty of Turin, signed March 24, made the cession by Sardinia conditional on a consultation of the inhabitants.

1864 The Ionian Islands ceded by Great Britain to Greece after a vote of the Legislative Assembly of the Islands, especially elected by qualified suffrage. The Protocol of London, signed August 1, and the Treaty of London, signed December 14, 1863, between Austria, France, Great Britain, Prussia, and Russia, stipulated for a vote of the Legislative Assembly of the Islands.

1864 The Schleswig Question. Conferences of London for the settlement of the Danish Question.

1866 Venetia annexed to Italy after a plebiscite.

1866 The Schleswig Question. The Treaty of Prague between Prussia and Austria, signed August 23, 1866, made the transfer of Northern Schleswig conditional on a free vote of the population. Abrogated by the Treaty of Vienna between Prussia and Austria, signed October 11, 1878.

1867 The Danish West Indies. The uncompleted treaty between the United States and Denmark, signed October 24, for the purchase of the islands of St. Thomas and St. John (D. W. I.), contained a stipulation making the cession conditional on the consent of the population in the islands. The plebiscite was held in January, 1868.

1870 The City and Provinces of Rome united to Italy after a plebiscite.

### PERIOD OF 1871–1914

1877 St. Bartholomew (W. I.) annexed to France after a plebiscite. The Treaty of Paris between Sweden and France made the cession conditional on the consent of the population. Signed August 10.

1883 Tacna and Arica. The Treaty of Ancon between Chile and Peru provided for a plebiscite in Tacna and Arica (Peruvian provinces occupied by Chile) after ten years. Signed October 20.

1905 The Separation of Norway from Sweden by a plebiscite in Norway.

## Bibliographical List of Principal Works Consulted

*Acta Sanctae Sedis in compendium opportune redacta et illustrata.* Rome, 1870–71. Vol. 6.

*Acte si documente relative la istoria renascerei Romaniei.* Edited by Dimitrie A. Sturdza and C. Colescu-Vartic. Bucharest, 1896. 9 vols.

*American Journal of International Law.* New York, 1907–.

André, J. F. *Histoire de la révolution avignonnaise.* Paris, 1844.

*Annuaire des deux mondes. Histoire générale des divers états.* Paris, 1851–1868. 14 vols.

Arangio-Ruiz, Gaetano. *Storia constituzionale del regno di Italia* (1848–1898). Florence, 1898.

*Archives diplomatiques; recueil de diplomatie, d'histoire et de droit international.* Paris, 1861–.

Audinet, Eugène. *La prescription acquisitive. Revue générale de droit international public.* 1896. Vol. 2, p. 313.

Bancroft, Frederic. *The Life of William H. Seward.* New York, 1900. 2 vols.

Barjavel, Casimir François Henri. *Dictionnaire historique, biographique et bibliographique du département de Vaucluse, ou Recherches pour servir à l'histoire scientifique, littéraire et artistique, ainsi qu'à l'histoire religieuse, civile et militaire, des villes et arrondissements d'Avignon, de Carpentras, d'Apt et d'Orange.* Carpentras, 1841. 2 vols.

Barlow, Joel. *A Letter to the People of Piedmont on the Advantages of the French Revolution,* in *Political Writings.* 2d ed. New York, 1796.

Belaunde, Victor Andrés. *Nuestra cuestión con Chile.* Lima, 1919.

Beauffort, Roger, Comte de. *Histoire de l'invasion des Etats Pontificaux et du siège de Rome par l'armée italienne en Septembre 1870.* Paris, 1874.

Bluntschli, Johann Kaspar. *Le droit international codifié.* Translated by M. C. Lardy. Paris, 1870.

Bonfils, Henri. *Manuel de droit international public (droit des gens).* Paris, 1894.

Borgnet, Charles Joseph Adolphe. *Histoire des Belges à la fin du XVIII$^e$ siècle.* Brussels, 1861–62. 2 vols.

Bourgeois, J. *L'Annexion de la Savoie à la France. Revue générale de droit international public.* 1896. Vol. 3, p. 673.

Bourgeois, Léon. *Pour la société des nations.* Paris, 1910.

Breaksted, H. L. *The Constitution of the Kingdom of Norway.* London, 1905.

Brennan, Rev. Richard. *A Popular Life of Our Holy Father Pope Pius the Ninth.* 4th ed. New York, 1877.

Brissaud, Jean Baptiste. *A History of French Public Law.* Translation by James W. Garner. Boston, 1915.

Bunsen, Christian Karl Josias, Freiherr von. *Memoir on the Constitutional Rights of the Duchies of Schleswig and Holstein, presented to Viscount Palmerston by Chevalier Bunsen. 1848 . . . published with M. de Gruner's essay on the Danish question, and all the official documents by Otto von Wenckstern.* London, 1848.

Cabouat, Jules. *Des annexions de territoire et de leurs principales conséquences.* Paris, 1881.

Cadorna, Raffaele. *La liberazione di Roma nell'anno 1870 ed il plebiscito.* 2d ed. Turin, 1889.

Calvo, Carlos. *Derecho internacional teórico y prático de Europa y América.* 2 vols. Paris, 1868.

——. *Le droit international théorique et pratique; précédé d'un exposé historique des progrès de la science du droit des gens.* 3d ed. Paris, 1868–81. 4 vols. 5th ed. Paris, 1896. 6 vols.

*The Cambridge Modern History;* planned by the late Lord Acton. Cambridge (England), 1902–. 14 vols.

Charpenne, Pierre. *Les grands épisodes de la révolution dans Avignon et le Comtat.* Avignon, 1901. 4 vols.

Chiala, Luigi. *Lettere edite ed inedite di Camillo Cavour, raccolte ed illustrate da Luigi Chiala.* Turin, 1883–87. 6 vols.

Chile. Ministerio de relaciones exteriores. *Comunicaciones cambiadas entre las Cancillerias de Chile y el Perú y algunos antecedentes sobre la cuestión de Tacna y Arica, 1905–1910.* 2d ed. Santiago de Chile, 1912.

*Memoria del Ministerio de relaciones exteriores, octubre de 1911–julio de 1914.* Santiago de Chile, 1917.

Chuquet, Arthur Maxime. *Les guerres de la révolution.* Vol. 4. *Jemappes et la conquête de la Belgique,* 1792–1793. Vol. 6. *L'Expédition de Custine.* Vol 7. *Mayence, 1792–1793.* Paris, 1890.

Clercq, Alexandre Jehan Henry de. *Recueil des traités de la France, publié sous les auspices du Ministère des affaires étrangères.* Paris, 1864–.

*Collezione celerifera delle leggi, decreti, istruzioni e circolari . . .* Turin, 1822–1913. 117 vols.

Damé, Frédéric. *Histoire de la Roumanie contemporaine depuis l'avènement des princes indigènes jusqu'à nos jours (1822–1900).* Paris, 1900.

Debidour, Antonin. *Histoire diplomatique de l'Europe depuis l'ouverture du Congrès de Vienne jusqu'à la fermature du Congrès de Berlin (1814–1878).* Paris, 1891. 2 vols.

*La Defensa de Chile.* Buenos Ayres, Argentina. The first issue is dated January 4, 1919.

Delhaize, Jules. *La domination française en Belgique à la fin du XVIII$^{e}$ et au commencement du XIX$^{e}$ Siècle.* Brussels, 1908–12. 6 vols.

Descamps, E. E., and L. Renault. *Recueil international des traités du XX$^{e}$ siècle, contenant l'ensemble du droit conventionnel entre les états et les sentences arbitrales.* Paris, 1901–.

Despagnet, Frantz Clément Réné. *Cours de droit international public.* Paris, 1894. 3rd ed., 1905. 4th ed., 1910.

Desprès, Clément. *La question des Principautés Danubiennes.* Perpignan, 1913.

*Deuxième conférence internationale de la paix — La Haye 15 juin–18 octobre 1907. Actes et documents. Ministère des affaires étrangères.* The Hague, 1907. 3 vols.

Van Duerm, Charles. *Vicissitudes Politiques du pouvoir temporel des papes de 1790 à nos jours.* Lille, 1890.

Duvergier, J. B. *Collection complète des lois, décrets, ordonnances, règlemens et avis du Conseil d'Etat,* publiée sur les éditions officielles du Louvre. Paris, 1834–1904.

Egaña, Rafael. *The Tacna and Arica question. Historical antecedents. Diplomatic action. Present state of the affair.* Translated from the Spanish edition by Edwyn C. Reed. Santiago de Chile, 1900.

*Erasmus Against War.* Edited by J. W. Mackail. Boston, 1907.

Fiore, Pasquale. *Nouveau droit international public suivant les besoins de la civilisation moderne.* Translated by Pradier-Fodéré, Paris, 1869. 2d. ed. translated by Charles Antoine, Paris, 1885.

France. *Annales du Sénat et de la Chambre des députés. Session ordinaire de 1878.*

——. *Archives parlementaires de, 1787–1860. Recueil complet des débats législatifs et politiques des chambres françaises. Imprimé par ordre du Sénat, et de la Chambre des députés.* 1st series, 1787–1799.

——. *Gazette nationale ou le Moniteur universel.* Paris, 1789–. (The present title is *Journal officiel.*) It is cited here as *Moniteur universel.*

——. *Ministère des affaires étrangères, Documents diplomatiques,* 1864. *Affaires des duchés de l'Elbe, Annexion des îles Ioniennes à la Grèce.* Paris, 1865.

Fusinato, Guido. *Le mutazioni territoriali, il loro fondamento giuridico e le loro conseguenze.* Lanciano, 1885.

Giacometti, G. *L'Annexion de Nice. Revue des deux mondes,* March, 1896.

Giovagnoli, Raffaele. *Le risorgimento italiano. Storia politica d'Italia,* 1815–1848. *Scritta da una società di professori.* Milan, 1897–.

Gjerset, Knut. *History of the Norwegian People.* New York, 1915.

Great Britain. *British and Foreign State Papers.* London, 1841–.

——. *Parliamentary Papers. Accounts and Papers:*

*Correspondence respecting the Affairs of Italy* (part 2), January to 30 June, 1848; 1849 [1108]. Vol. 57.

*Correspondence respecting the Affairs of Italy,* July, 1859, to January, 1860; 1860 [2609]. Vol. 68.

*Further correspondence* (part 2), January to February, 1860; 1860 [2636]. Vol. 67.

*Further correspondence* (part 3), February and March, 1860; 1860 [2638]. Vol. 67.

*Affairs of Italy, Savoy and Switzerland* (part 6), March to June, 1860; 1860 [2702]. Vol. 67.

*Further correspondence* (part 7), May to December, 1860; 1861 [2757]. Vol. 67.

*Further correspondence* (part 9), January and March, 1861; 1861 [2804]. Vol. 67.

*Mission of Rt. Hon. W. E. Gladstone to the Ionian Islands,* 1858; 1861 [2891]. Vol. 67.

*Treaties, Conventions, etc.: Treaty between Her Majesty, the Emperor of the French, etc.,* 1864 [3323]. Vol. 66.

*Treaty between Her Majesty, the Emperor of Austria, etc.,* 1864 [3247] Vol. 66.

*Correspondence respecting the Affairs of Rome,* 1870–1871; 1871 [c. 247]. Vol. 72.

Grivaz, Francisque. *Le plébiscite d'annexion de 1860 en Savoie et dans le comté de Nice. Revue générale de droit international public,* 1896. Vol. 3, p. 573.

Grotius, Hugo. *De jure belli ac pacis.* Amsterdam, 1651. Translated by Whewell, Cambridge, 1853.

Guggenberger, A. *A General History of the Christian Era.* St. Louis, 1899.

Guizot, François Pierre Guillaume. *L'Histoire de France depuis les temps les plus reculés jusqu'en 1789, racontée à mes petits enfants.* Paris, 1878–79. 5 vols.

Hall, William Edward. *A Treatise on International Law.* 4th ed. London, 1895.

Hansard, Thomas Curzon. *Parliamentary Debates.* 3d series. London, 1830–1891. 356 vols.

Hayes, Carlton J. H. *A Political and Social History of Modern Europe.* New York, 1916. 2 vols.

Heffter, August Wilhelm. *Le droit international de l'Europe.* 4th ed. by F. Heinrich Geffcken. Berlin, 1883.

Heimweh, Jean (pseud.). *Droit de conquête et de plébiscite.* Paris, 1896.

——. *Triple Alliance et Alsace-Lorraine.* Paris, 1892.

Holtzendorff, Franz von. *Le principe des nationalités et la littérature italienne du droit des gens. Revue de droit international et de législation comparée.* 1870. Vol. 2, p. 92.

d'Ideville, Henry. *Les piémontais à Rome. Lettres recueillies et éditées.* Paris, 1874.

*Der Italienische Raubzug wider Rom im September 1870 von einem Augenzeugen.* Münster, 1871.

Italy. *Camera dei deputati. Le Assemblee del risorgimento. Atti raccolti e publicati per deliberazione della Camera dei deputati.* Rome, 1911. 15 vols.

——. *Gazzetta Ufficiale del regno d'Italia.* Florence, 1870. The *Gazzetta* was published from Turin, in 1861.

——. *Atti del Parlamento Italiano. Sessione del 1860. Discussioni della Camera dei deputati.*

——. *Direzione generale della statistica del Regno d'Italia. Popolazione. Censimenti degli antichi stati Sardi.* (1° gennaio, 1858) *e censimenti di Lombardia, di Parma e di Modena* (1857–1858). Turin, 1862. 3 vols.

——. *Direzione generale della statistica. Statistica del Regno d'Italia. Popolazione — Censimento generale* (31 dicembre, 1861). Turin, 1864–66. 3 vols.

——. *Direzione generale della statistica. Statistica del Regno d'Italia. Popolazione — Censimento* (31 dicembre, 1871). Rome 1874–76. 3 vols.

de Jessen Franz (publié sous la direction de). *Manuel historique de la question du Slesvig. Documents, cartes, pièces justificatives et renseignements statistiques.* Copenhagen, 1906.

King, Bolton. *A History of Italian Unity, being a political history of Italy from 1814 to 1871.* London, 1899. 2 vols.

Kirkwall, Viscount. *Four years in the Ionian Islands. Their political and social conditions. With a history of the British protectorate.* London, 1864. 2 vols.

Klüber, J. L. *Droit des gens moderne de l'Europe . . .* 2 ed. by M. A. Ott, Paris, 1874.

La Guéronnière, Louis Etienne Arthur Dubreuil Hélion, *Vicomte de* (ancien ambassadeur de France). *Le droit public et l'Europe moderne.* Paris, 1876. 2 vols.

Lawrence, William Beach. *Commentaire sur les éléments du droit international et sur l'histoire des progrès du droit des gens de Henry Wheaton.* Leipsig, 1868. 2 vols.

Lecomte, Ferdinand. *L'Italie en 1860.* Paris, 1861.

Lenormant, Francesco. *L'Annessione delle isole Ionie al regno ellenico. Considerazioni storiche politiche.* Venice, 1864.

Lévy, Armand. *L'Empereur Napoléon III. et les principautés roumaines.* Paris, 1858.

Lieber, Francis. *De la valeur des plébiscites dans le droit international. Revue de droit international et de législation comparée.* Brussels, 1871. Vol. 3, p. 139. *Miscellaneous Writings.* Vol. III.

MacCaffrey, Rev. James. *History of the Catholic Church in the Nineteenth Century.* 2d ed. Dublin, 1910.

Maguire, John Francis. Article in *The Dublin Review,* vol. 16 (new series), p. 32. London, 1836–1906. 138 vols.

Martens, Fedor Fedorovich de. *Traité de droit international.* Paris, 1883–87. Translated from the Russian by Alfred Léo.

Martens, Georg Friedrich von. *Recueil des traités d'alliance, de paix, de trêve . . . et plusieurs autres actes servant à la connaissance des relations étrangères des puissances et états de l'Europe depuis 1761 jusqu'à présent. . . .* Göttingen, 1817–35. 2d ed. 8 vols.

——. *Nouveau recueil de traités d'alliance, de paix, de trêve . . . et de plusieurs autres actes servant à la connaissance des relations étrangères des puissances . . . de l'Europe . . . depuis 1808 jusqu'à présent. . .* Göttingen, 1817–41. 16 vols.

Martens, Georg Friedrich von. *Nouveau recueil général de traités, conventions et autres transactions remarquables, servant à la connaissance des relations étrangères des puissances et états dans leurs rapports mutuels.* Compiled by Frédéric Murhard. Göttingen, 1843–75. 20 vols. in 22.

Matter, Paul. *Bismarck et son temps.* Paris, 1906. 3 vols .

Maurtua, Victor M. *The Question of the Pacific.* An English ed. . . . by F. A. Pezet. Philadelphia, 1901.

*Mémoires et documents publiés par la Société d'histoire et d'archéologie de Genève.* Series 4. Geneva, 1915.

Michon, Louis. *Les traités internationaux devant les chambres.* Paris, 1901.

Moore, John Bassett. *A Digest of International Law.* Washington, 1906. 8 vols.

Morley, John. *The Life of William Ewart Gladstone.* London, 1903. 3 vols.

Mulhouse. *Musée historique. Bulletin.* Mulhausen, 1876–.

Nansen, Fridtjof. *Norway and the Union with Sweden.* London, 1905.

Norway. *Unionens Oplosning* 1905. Officielle akstykker vedrorende unionens-krisen og Norgesg gjenreisning som helt suveraen stat, med latrige facsimiles og billeder. Edited by Jakob Vilhelm Heiberg. Christiania, 1906.

Novikow, J. *L'Alsace-Lorraine, obstacle à l'expansion allemande.* Paris, 1913.

Nys, Ernest. *Etudes de droit international et de droit politique.* Brussels, 1896.

Oliphant, Margaret Oliphant Wilson. *Memoir of the Life of Laurence Oliphant and of Alice Oliphant, his Wife.* New York, 1891. 2 vols.

Ollivier, Emile. *L'Empire libéral; études, récits, souvenirs.* Paris, 1895–1915. 17 vols.

Oppenheim, Lassa Francis Lawrence. *International Law: a treatise.* London, 1905–06. 2d ed. 2 vols.

O'Reilly, Rev. Edmund J. *The State of the Question as to the Pope's Temporal Power. The Month,* July–December, 1871. Vol. 15. London.

Padelletti, Guido. *L'Alsace et la Lorraine, et le droit des gens. Revue de droit international et de législation comparée.* Brussels, 1871. Vol. 3, p. 464.

Parton, James. *The Danish Islands: Are we bound in honor to pay for them?* Boston, 1869.

Peru. Ministerio de Relaciones Exteriores del Perú. *Circular sobre la cuestión Tacna y Arica.* Lima, 1901.

Phillimore, Sir Walter George Frank. *Three Centuries of Treaties of Peace and their Teaching.* London, 1917.

Phillipson, Coleman. *Alsace Lorraine, Past, Present, and Future.* London, 1918.

——. *Termination of War and Treaties of Peace.* New York, 1916.

Pradier-Fodéré, Paul Louis Ernest. *L'Amérique espagnole. Chronique des faits internationaux. Revue de droit international et de législation comparée.* 1897. Vol. 29, p. 660.

——. *Traité de droit international public, européen et américain, suivant les progrès de la science et de la pratique contemporaines.* 1885–1906. 8 vols.

Pufendorf, Samuel, Freiherr von. *De jure naturae et gentium.* Amsterdam, 1698. Translated by Basil Kennett. London, 1729.

Randolph, Carman Fitz. *The Law and Policy of Annexation, with special reference to the Philippines, together with observations on the status of Cuba.* New York, 1901.

Renan, Ernest. *Qu'est-ce qu'une nation? Conférence faite en Sorbonne, le 11 mars 1882.* 2d ed. Paris, 1882.

Reid, Stuart J. *Lord John Russell.* London, 1895.

*Revue catholique des institutions et du droit par une société de jurisconsultes et de publicistes.* Grenoble, 1872. 82 vols.

*Revue de droit international et de législation comparée.* Brussels, 1869–. Quarterly, 1869–77; bi-monthly, 1878.

*Revue générale de droit international public; droit des gens — histoire diplomatique — droit pénal — droit fiscal — droit administratif.* Bi-monthly. Paris, 1894–.

Rivier, Alphonse Pierre Octave. *Principes du droit des gens.* Paris, 1896. 2 vols.

Rouard de Card, Edgard. *Les annexions et les plébiscites dans l'histoire contemporaine. Etudes de droit international.* Paris, 1890.

Roxburgh, Ronald F. *International Conventions and Third States.* London, 1917.

Saint-Genis, Victor de. *Histoire de Savoie d'après les documents originaux depuis les origines les plus reculées jusqu'à l'annexion.* Chambéry, 1869. 3 vols.

Sampson, Donat. *The Last Ten Years of the Temporal Power. From Mentana to the Porta Pia. American Quarterly Review.* January–October, 1899. Vol. 24.

Sorel, Albert. *L'Europe et la révolution française.* Paris, 1889–1904. 7 vols.

Soullier, Charles. *Histoire de la révolution d'Avignon et du Comté Venaissin en 1789 et années suivantes.* Paris and Avignon, 1844. 2 vols.

Stephens, H. Morse. *A History of the French Revolution.* New York, 1902. 3 vols.

Sturdza, Alexandre A. C. *La terre et la race roumaines.* Paris, 1904.

Sturdza, Démètre A. *Charles Ier roi de Roumanie.* Chronique, actes, documents Bucharest, 1899. 2 vols.

Sumner, Charles. *The Duel between France and Germany. Addresses on war,* Boston, 1902.

von Sybel, Heinrich. *The Founding of the German Empire by William I, based chiefly upon Prussian state documents.* Translated by Marshall Livingston Perrin and Gamaliel Bradford, Jr. New York, 1891. 5 vols.

Thayer, William Roscoe. *The Life and Times of Cavour.* Boston, 1911. 2 vols.

Thouvenel, L. *Trois années de la question d'orient, 1856–1859, d'après les papiers inédits de M. Edouard Antoine Thouvenel.* Paris, 1897.

*The Times.* London. The publication began under the title *Daily Universal Register,* in 1785, assuming its present title in 1788.

Trésal, J. *L'Annexion de la Savoie à la France, 1848 to 1860.* Paris, 1913.

United States. *Compilation of Reports of Senate Commitee on Foreign Relations, 1789–1901.* Cited *U. S. Senate Document No. 231.* 56th *Congress,* 2d *session.*

——. Department of State. *Papers Relating to the Foreign Relations of the United States, with the annual message of the President.* Washington, 1862–. Cited *United States, Foreign Relations.*

de Vattel, Emmerich. *Le droit des gens; ou Principes de la loi naturelle appliqués à la conduite et aux affaires des nations et des souverains.* London, 1758.

Wallon, Henri. *Les représentants du peuple en mission et la justice révolutionnaire dans les départements en l'an II. 1793–1794.* Paris, 1890. 5 vols.

Walpole, Spencer. *The Life of Lord John Russell.* London, 1891. 2 vols.

Westergaard, Waldemar. *The Danish West Indies under Company Rule. 1671–1754.* New York, 1917.

White, Andrew Dickson. *Seven Great Statesmen in the Warfare of Humanity with Unreason.* New York, 1912–.

Woolsey, Theodore Dwight. *Introduction to the Study of International Law, designed as an aid in teaching, and in historical studies.* 2d ed. New York, 1864.

XÉNOPOL, ALEXANDRU D. *Histoire des roumaines de la Dacie trajane depuis les origines, jusqu'à l'union des principautés en 1859.* Paris, 1896. 2 vols.

ZANECHELLI, DOMENICO. *Studi di storia costituzionale e politica del risorgimento italiano.* Bologna, 1900.

ZINI, LUIGI. *Storia d'Italia dal 1850 al 1866, continuata da quella di Guiseppe La Farina.* Milan, 1866–1869. 2 vols. in 4.

ZOBI, ANTONIO. *Storia civile della Toscana, 1737–1848.* Florence, 1852. 5 vols.

# A Study of the Theory and Practice of Plebiscites

## HISTORICAL SUMMARY

Discussion of the doctrine of national self-determination falls naturally into three periods. At least this is true when the discussion, as in this volume, deals exclusively with national self-determination as a factor in changes of sovereignty through separation, cession and annexation.

The history of the doctrine properly begins with the French Revolution. Born of the political principles and practical problems of the Revolution, the doctrine was adopted as the guiding principle in foreign relations, was applied in good faith in the annexations of Avignon, Savoy, Nice, and used as a political subterfuge in the later annexations of the Belgian Communes and the Rhine Valley, only to be utterly destroyed by the growing ambition for conquest over a world of enemies.

The next and most prosperous period of its history is from 1848 to 1870. Revived by the national aspirations for self-government in 1848; resorted to by the Italian patriots; adopted as their own by Prussia and the Germanic Confederation as the solution for the Schleswig question; adopted by the Congress of Paris of 1856, it grew rapidly in prestige and by 1859 had enlisted the almost undeviating adherence of three of the four leading statesmen of the time — Cavour, Russell and Napoleon — and the temporary support of Bismarck. Recognized as the creative force of the new Italian kingdom; made the basis of the union of Tuscany, Emilia, Sicily, Naples, the Marches, and Umbria; repeated in the subsequent union of Venetia and Rome; stipulated in the treaty of Turin for the cession of Savoy; endorsed, though unsuccessfully, by the chief Powers at the Conference of London as the only solution for the Schleswig question; followed by Great Britain in her cession of the Ionian Islands to Greece; inserted in the treaty of Prague between Austria and Prussia — by 1866 the method of appeal to a vote of the inhabitants, either by plebiscite or by representative assemblies, especially elected, bade fair to establish itself as a custom amounting to law. Another philosophy was rising, however. The Prussian annexation of Schleswig in 1867, without regard to the provisions of the treaty of Prague and the annexation of Alsace-Lorraine in 1871 dealt the principle a blow which, the world being under German tutelage in matters of historical criticism and the philosophy of the State, was practically fatal. After 1870 it was given a nebulous continuance by the treaty of 1877 between France and Sweden for the cession of St. Bartholomew, and by the treaty of Ancon between Chile and Peru. The ascendancy of the doctrine of political opportunism, however, found accurate expression in the Congress of Berlin. A second Congress of Vienna, it was to have the same result, for the doctrine of national self-determination, abandoned by diplomats, was to have henceforth a place in the platform of every liberal or radical movement and with the outbreak of the war in 1914 was to become the symbol of regeneration for every subject nationality.

The doctrine of national self-determination is based on and inseparable from that of popular sovereignty. Before the French Revolution sovereignty looked to the land, not to the inhabitants. Change of sovereignty through inheritance or marriage of the reigning prince, through barter or through conquest was the recognized and legitimate order. Title so acquired was admittedly valid without appeal to the will of the inhabitants.

To the philosophers of the French Revolution the right of conquest, reasonable adjunct as it was of the divine right of kings, was incompatible with the right of peoples to choose their own rulers. To assert that a conqueror could retain his domination over the inhabitants of a conquered territory against their will was to deny the doctrine of popular sovereignty and to change free men back to slaves. In order to harmonize external relations with the basic principles of the new order the doctrine of no annexation without consultation of the inhabitants was formulated, a doctrine new in the experience of Europe. Yet as no new doctrine of political philosophy springs full grown upon a startled world, but always, after the event, seeds of it may be found in the words of men of thought and may be discerned in events long antedating its period of maturity, so it is true in this instance that writers had indicated the principle, subjects had appealed to it, and a few astute rulers had made use of it before the final adoption as a national policy by leaders of the French Revolution.

Historians in discussing the origins of the doctrine refer to the case of the provinces ceded by Louis IX to Henry III of England in the thirteenth century, against which cession the nobles of the provinces in question protested as contrary to their rights,[1] and also to the refusal of the people of Guienne to be separated from the kingdom of England, notwithstanding the grant and donation of Richard the Second.[2] However significant these instances may be, there is far greater importance in the attack on title by conquest and the ridicule of historical arguments as claims to sovereignty over alien peoples, published by Erasmus in the *Adagiorum Chiliades,* is 1517.[1] Erasmus stated in precise language that authority over men and beasts is not of the same order, that all power and authority over people rests on their consent, and that title by conquest is a fallacy. In view of the great influence of Erasmus on contemporary thought, and the immense popularity of his writings,[2] it is not surprising that the only two cases of deliberate appeal to the doctrine by rulers themselves which occur before the eighteenth century should follow shortly on his words. The first of these occurred in 1527, when Francis I of France, perceiving the political value of the principle, used it as a weapon of diplomacy by appealing to the estates of Burgundy in order to invalidate the cession of the duchy which he had just made to Charles V by the treaty of Madrid.[3] The second resort to the principle was made by his successor, Henry II, who appears to have desired its sanction for annexing Toul, Metz and Verdun, and caused a vote of the people to be taken before annexation. Whether or not this vote was by universal suffrage, it would seem to be the only one at all approaching the character of a plebiscite occurring before the Revolution.[4]

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[1] L. E. A. D. H. de la Guéronnière, *Le droit public et l'Europe moderne,* vol. 1, p. 434.

[2] Samuel von Pufendorf, *De jure naturae et gentium,* lib. 3, pp. 809, 831, citing Froissard, 1.4. Polyd. Virgil. Hist. Angl. 1.20.

The next century saw the beginning of the formulation of principles of international law. Grotius, writing in 1625, said, "In the alienation of a part of the sovereignty, it is also required that the part which is alienated consent to the act,"[1] and Pufendorf wrote in 1672, "But in the alienation of a part of the kingdom, besides the king's consent, there is required not only the consent of the people which continues under the old king, but the consent of that part too, especially, whose alienation is at stake."[2] This view was echoed by Vattel in the eighteenth century.[3] The numerous transfers of territory made in the seventeenth and eighteenth centuries, however, were made without further concession to these teachings than that of a grant of the right of option. By this right the individual inhabitants of the ceded territory were allowed a definite period of time to choose between the two allegiances and to remove themselves and their property, should they choose to remain under the ceding State.[4]

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[1] For an excellent English translation, cf. J. W. Mackail (ed.), *Erasmus, Against War,* p. 50.

[2] The essay containing the passage cited was printed separately in April, 1517. Half the scholarly presses of Europe were soon employed in reprinting it. Within ten years it had been reissued at Louvain, twice at Strasburg, twice at Mayence, at Leipsic, twice at Paris, twice at Cologne, at Antwerp and at Venice. German translations of it were published at Basel and at Strasburg in 1519 and 1520, and an English translation appeared in London in 1533. *Mackail,* p. xxiv.

[3] The account given by François Guizot, in *l'Histoire de France,* vol. 3, p. 96, is to the effect that Francis had no intention of carrying out the treaty which, he protested before signing, was void because wrung from him by force. Before executing the treaty he summoned the estates of Burgundy at Cognac. They formally repudiated the cession as contrary, they said, to the laws of the kingdom and the rights of the king who could not alienate, on his own authority alone, any portion of his estate. Francis then called the envoys of Charles V to a solemn meeting of his council and court at Cognac, where the deputies from Burgundy repeated their protest, which Charles asserted was an insurmountable obstacle to the execution of the treaty. Cited also by Emmerich de Vattel, *Le droit des gens,* lib. 1, p. 263, and by *de la Guéronnière,* vol. 1, p. 432.

Louis Michon in *Les traités internationaux devant les Chambres,* p. 24, says that the clause in the treaty of Madrid reserving the approbation of the estates referred only to the estates of Burgundy and implied the consent of the representatives of the ceded district. If this were so, this treaty would be the first to contain such a clause. On examination of the treaty it appears, however, that the clause plainly refers to the States General of the kingdom and was meant as a legislative sanction only.

[4] The story runs that the bishop of Verdun said to his people "que le roi de France était venu comme libérateur, qu'il voulait traiter les bourgeois comme de bons Français et que, bien éloigné d'user de mesures de rigueur, il en appelait au vote libre du peuple." Emile Ollivier, *L'Empire libéral,* vol. I, p. 165. Ollivier cites Janssen, *Frankreichs Rheingelüste,* p. 28, as his authority.

This was the only alleviation of the ancient rule that the sovereignty of the conqueror extended to all inhabitants of a conquered country without regard to individual desires. Even the several partitions of Poland appear to have caused no comment on the score of disregard of the popular will. Conquests by kings for their own aggrandisement, for economic markets, for strategic values, proceeded with scarcely a challenge save as they disregarded treaty rights.

The American Revolution had effected a lasting change in the relation of the citizen to the State. The French Revolution brought about far-reaching changes not only in the internal but also in the external relations of the State. The Revolution was almost immediately confronted with questions of the relations of States as to territorial matters. It was evident that the old principles of territorial cession which confounded the State with the prince were wholly unsuited to the new doctrine of popular sovereignty which, when established within the State, implied as a corollary that no change of sovereignty was legal without the consent of the people concerned. To the leaders of the Revolution, devoted to abstract principles as guides for action, this admitted of no argument. Nor did they advance the doctrine through fear of aggression against France. The subsequent course of the Revolution, which was to terminate as it did in conquests more extended than any others of modern times, have made men cynical regarding the ideals with which it opened. The periods of a nation's history when the leaders sacrifice national material advantage to principle are rare. It is, however, a fact, and one to the eternal credit of the men who were so soon to abandon their own doctrines, or, rather, to distort them into their opposites for the sake of national aggrandisement, that they were sufficiently loyal to their belief in the principle of self-determination to refrain for almost two years from annexing a small territory, an "enclave," of great strategic value — French in race, language and economic ties — from which came many voices imploring annexation as the only means to end a devastating civil war. The annexation was finally granted, but only after the original votes of the communes had been repeated in a manner which to the Constituent Assembly at Paris appeared to be reasonably fair, free and significant of the popular will of the tiny States.

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[1] "In partis alienatione aliud insuper requiritur, ut etiam pars de qua alienanda agitur consentiat." Hugo Grotius, *De jure belli ac pacis,* lib. 2, cap. 6, sec. 5. The translation is by Whewell.

[2] "Sed in alienatione partis praeter consensum regis requiritur non solum populi, qui sub pristino rege remanet, sed vel maxime consensus illius partis, de qua alienanda agitur." *Pufendorf,* bk. 8, ch. 5, § 9. The translation is by Basil Kennett.

[3] *Vattel,* lib. 1, chap. 21, §§ 263–64.

[4] The first example of a clause of option in a treaty of cession given by Calvo is that in the treaty of Ryswick (1697), Article 17 of which reads "Qu'il soit permis à tous ceux des habitants de la ville de Strasbourg ou des dépendences, de quelque condition qu'ils soient, qui voudront émigrer, de transférer leur domicile au lieu où il leur plaira et d'y transporter leurs meubles, en franchise de tous droits, dans le délai d'une année à partir de la ratification du traité de paix." A similar clause appears in the Treaty of Utrecht (1713). Carlos Calvo, *Le droit international théorique et pratique* (5th ed.), § 641.

Yet, although there is no doubt from the debates that the philosophers of the Revolution believed that the abstract principle was an essential of the universal justice which they were striving to establish, the doctrine had for them from the first its practical side. Fearful of European resentment at any aggressive spirit in the revolutionary government, they at once saw that by insisting on no annexation without expression of popular will they were to some extent disarming criticism and distrust.

The problem of foreign relations as a practical issue was presented to the Constituent Assembly in May, 1790, by a letter of the President of the Assembly announcing that the armaments of England obliged France to look to her safety, and that the king had ordered an increase of fourteen ships. Before discussing the issue of peace or war, the Constituent Assembly thought it necessary to seek for an abstract principle, to be placed in the new constitution, which should harmonize interest with justice, extend to the world the blessings of the new gospel and bring peace to Europe. The decree finally adopted on May 22 ended with an article definitely renouncing for the French nation all wars of conquest.[1] This renunciation of conquests is the key to the history of the doctrine during the Revolution. Convinced of the ethical and practical value of the renunciation, the Constituent Assembly made every effort to act in consistency with it, and when later events had led the French armies far beyond the borders of the Republic, the Convention in Paris still made vain efforts to keep its faith with principle by asserting that the wars were not for conquest, and that all peoples should be free to choose their own sovereignty.

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[1] Documents, *post*, p. 177. The declaration was embodied in the Constitution of September 3, 1791, under Title VI, and the Minister of Foreign Affairs, Count de Montmorin, in a circular letter of September 19, wrote to the French representatives at foreign courts that the attention of all the European Powers should be directed to that part of the constitution. Ernest Nys, *Etudes de droit international et de droit politique*, p. 368.

The first demand for annexation to revolutionary France was from Avignon and the Comtat Venaissin. In the heart of the Midi, Avignon and the Venaissin had for many hundreds of years been under the sovereignty of the Pope with occasional brief periods of French rule. The partisans of union in the Constituent Assembly pointed with some show of reason to the faulty title of the Pope and to the strategic value of Avignon, and were content to consider the first votes of the communes, cast during the Civil War, as sufficient. They had the Parisian crowd with them, but so devoted was the majority of the Constituent Assembly to the principle of popular sovereignty and the recent pledge against conquest that for two years no measures looking to union could get a majority, in spite of the frequent appeals which came from the territory itself. In the Constituent Assembly the party for annexation at any price advanced the flaws in the papal title. The majority, however, looked on this argument as one of no value to the French claim which they based on the popular vote. This claim being in their eyes supreme, they regarded the historical argument for the French title as of use only in the eyes of a Europe which did not recognize popular sovereignty and whose sole concern was for treaties and public law. It was only after mediators had been dispatched to end the civil war which was consuming the territory and which had rent Provence and moved all France, and after these mediators had reported that the opposing forces had been pacified and a fair vote taken in the communes and ratified by the Assembly of elected delegates, that the Constituent Assembly finally voted the union.[1]

By both contemporary and later historians, doubt has been thrown on the fairness of the vote cast. Religious as well as political controversies were involved. On one side we find united in an effort to discredit the vote both the Catholic historians and those Protestants whose sympathy with liberal institutions had been alienated by the later excesses of the French Revolution. The conditions of the vote, the primitive methods of voting common to the time,[2] the presence of the French agents and armed troops, the fact that the civil war had been an especially vindictive one with numerous atrocities on both sides — these facts make it impossible to contend that the reproaches are not well founded, though it appears certain that they are exaggerated. As for the actual will of the majority having been ascertained, there can be no doubt. Even the most partisan historians admit that the majority were satisfied and that the question of union soon ceased to be a vital one.[1] The important aspect, however, is not so much whether the vote taken was actually fair, but whether the Constituent Assembly intended it to be fair and thought it so when it finally acted on it. As to this question, from a careful examination of the many pages of debate there can be little doubt.

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[1] In their characterization of the plebiscites of the revolution as mere comedies to cover conquest, some authors include that of Avignon. Cf. Frantz Despagnet, *Droit international public,* § 391, and Alphonse Rivier, *Principes du droit des gens,* vol. I, p. 208. Such a characterization does not appear, however, to be consistent with the actual history of the affair.

[2] Voting in the eighteenth century was customarily *viva voce.* The ballot, although introduced in some of the American States in 1775, was in reality a nineteenth century institution. The Australian ballot was not introduced in England until 1872.

This attitude of the Assembly was repeated even after the war against the Coalition had been undertaken and French forces were in Savoy and Nice. Both soldiers and politicians seemed determined to adhere to the fundamental principles on which the Revolution was based. The attitude of the Assembly concerning Savoy brought the highest praise from its American sympathizer, Joel Barlow. It was, he said, an instance forming an epoch in the history of Europe. " Here we see a sovereign people, uninfluenced by any fears, hopes, or connections from abroad, deliberating in the most solemn manner, whether they will extend their territorial boundaries by the admission of seven new provinces, inhabited by four hundred thousand freemen who had sent their deputies to solicit a union. To raise a question on a proposition of this kind is certainly a new thing in politics. Louis XIV would have carried on a war for half a century and sacrificed twice that number of his own subjects to have made such an acquisition for his dominions." [2] The elections of Savoy, though taken during the French occupation and under the auspices of the French Commissioners as well as the local authorities, are without reproach from historians. Those of Nice, perhaps more open to question, are equally accepted.

The drama of the Revolution was, however, progressing swiftly. The war against Prussia and Austria was becoming the chief fact to which all theory must be subordinated. The French forces had not only entered Savoy and Nice, Custine was now advancing into German territory and Dumouriez into the Austrian Netherlands.

It had been the consuming ambition of many kings of France, and particularly of Louis XIV, to incorporate the Netherlands into their kingdom and thus regain the ancient boundaries of Charlemagne, but this national aspiration was now dormant. The idea of conquest was utterly foreign to the expedition in its initiation. The Constituent Assembly had declared the inviolability of popular sovereignty; the war was a defensive one from the point of view of the Legislative Assembly which had begun it and of the Convention which was carrying it on. Respect for popular sovereignty had been rewarded by the eager union of Savoy and Nice. Little doubting that other peoples would be equally eager to adopt revolutionary principles the French were at first content to repeat the policy with the Belgians. The Belgians, however, in their first elections under French occupation, showed an attachment to their old institutions. The growth of the scale of the war and the cost of the maintenance of troops on foreign soil were causing grave financial embarrassment to the Convention. Further funds were necessary. The Belgians showed a disposition to adopt neither revolutionary principles nor revolutionary money. In this juncture the temptation not to repudiate the principle of popular sovereignty but so to tamper with it that the result would be assured proved irresistible. The old argument of the natural limits revived and added its appeal.

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[1] Soullier, *Histoire de la révolution d'Avignon et du Comtat Venaissin en* 1789 *et années suivantes*, vol. 2, p. 72 *et seq.*

[2] Joel Barlow, " A Letter to the People of Piedmont," in *The Political Writings of Joel Barlow*, p. 233.

On December 15, 1792, Cambon, in charge of the financial policy of the Convention, presented a report for the Committees on Finance, Military Affairs and Diplomacy, regarding the conduct to be followed by the generals in the countries occupied by the armies of the Republic. On October 24 Lasource had made a report and read a draft decree on this same subject which had not been acted upon.[1] The report of Cambon was far different from that of Lasource which had urged the Convention to decree that the generals should pay a most meticulous respect to the sovereignty of the invaded peoples. Totally abandoning this policy, the decree of Cambon suspended the existing governments, abolished taxes, limited the franchise to those in sympathy with the revolution and provided for two sets of agents to aid in the further manipulating of the vote. Thus the Convention, not daring to forsake the principle of self-determination, perhaps not realizing that it was forsaking it, was guilty for the first time of the most drastic infringement of popular sovereignty. These conditions prescribed by the decree, even had they been unaccompanied by the improper acts of the French agents and the excesses of the *sans-culottes* would have served to discredit the votes of the Belgian communes. Had methods of coercion not been resorted to, the electoral qualifications alone would have served to disfranchise the opposition in each community. The stigma attaching to these votes attaches to all those cast after the decree. No vote, whether in Mayence, the Saar valley, or Monaco, should have been considered valid by the Convention. No vote was free, no vote was significant. Yet the Convention, deaf to warnings, steadfastly pursued its policy of annexations based on plebiscites without any attempt to investigate the conditions of the vote. Two short years of war had served to change completely the attitude of France towards conquest.

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[1] Documents, *post,* p. 283.

The Decree of December 15 marked a transition in the policy of the Convention. It is a turning point in the Revolution. Hitherto acts infringing on the sovereignty of foreign peoples, when committed by the generals, had been disavowed by the Assembly at Paris. From now on these acts were authorized by the Convention itself. Political expediency had overthrown the basic philosophy of the Revolution. Military necessity and the search for the sinews of war had turned the Revolution into paths which soon led them far from that renunciation of all conquest with which the Revolution had started. The way was paved for Napoleon, and by the time of his advent and his triumph the campaign of forcing other people to be free had begun in earnest. Except for the treaties of union of the little republics of Mülhausen and of Geneva with France, in which the annexations are based on the votes of the inhabitants, we hear no further echo of the right of self-determination.

The Napoleonic era consigned the principle to oblivion, and the Congress of Vienna appeared to be its death-blow. Thanks to Talleyrand, Metternich and the other reactionaries, once more the ancient dynastic principle was restored, again the land was held to belong to the sovereign. Thus the struggle between principle and expediency ceased, for principle now coincided with the current conception of expediency. But the very disregard of national desires intensified the nationalistic spirit among the people so disposed of,[1] and the numerous subsequent outbreaks promised anything but permanence for the Vienna patchwork.

Revolted by the excesses of the Revolution and exhausted by the Napoleonic wars resulting from it, the world had become weary of the doctrine of popular sovereignty. Any suggestion of doctrines reminiscent of the Rights of Man met with scorn from intellectuals and harsh repression from governments. Such a condition of instability could not be permanent, however. The smouldering fires of nationalism which had been repressed in 1815, fanned by the rising wind of democracy, burst into flame in 1848. With the resurgence of the subject nationalities arose again, with greater virility, the twin principles of popular sovereignty and of national self-determination. The two places where the doctrine assumed importance were in the Italian problem and the question of Schleswig-Holstein. In each case it was resorted to by a subject nationality in its effort to win freedom from reluctant rulers by establishing before Europe the justice of its claim.

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[1] The treaty of Kiel of January 14, 1814, by which Denmark ceded Norway to Sweden, was repudiated by the Norse on the ground that, while the Danish King might renounce his right to the Norwegian crown, it was contrary to international law to dispose of an entire kingdom without the consent of its people. The Norse thereupon attempted armed resistance, which was so far successful that the union was based not on the treaty but on the Act of Union of 1815, which declared Norway to be a free, independent, and indivisible kingdom. *British and Foreign State Papers,* vol. 1, pt. 2, p. 297.

The method of founding the union of Italy on the voluntary wish of the people of each province which was expressed in a popular vote by manhood suffrage — the method followed in the union of each of the nine provinces, ending with that of Rome in 1870 — began with 1848. The choice of this method was doubtless due to the fact that there was no other way to establish a title against the opposition of the various European courts, which could point to the treaties and the principle of legitimacy in support of the dispossessed petty sovereigns and against union. The event proved the wisdom of the Italian statesmen who had chosen this method to defeat the attempted arrangements of the Holy Alliance, and the opposition of the northern Powers.

The first plebiscite was held in Lombardy under the provisional government to determine whether or not there should be immediate union with Sardinia or whether the decision should be delayed. The vote was by manhood suffrage with no literacy qualification. Plebiscites followed in Parma, Modena and the cities of the Venetian mainland. In Venice itself the vote was by an elected assembly. The method of voting in the plebiscites was the primitive one of writing the name and vote in registers in the presence of election officials, the chief of whom was the parish priest. In the case of Lombardy there were consequent accusations of fraud and intimidation, largely religious, and the republicans charged that the haste shown in holding the plebiscite was unfair. There is, however, no serious assertion now that the result did not represent the popular will.

The laws of the Sardinian Parliament uniting these States to the kingdom state that " in view of the popular vote of the inhabitants of Lombardy " [Modena, etc.] " the province is declared to be an integral part of the Sardinian Kingdom." The immediate results of the plebiscites of 1848 were short-lived and the union so decreed fell with the reverses attending the Piedmontese arms. The idea of popular consultation as a method of attaining union was not dead, however; it merely awaited a favorable opportunity to reassert itself, an opportunity which came with the aid of France in the war of 1859.

The year 1848 not only saw the method of the plebiscite resorted to in Italy, but also advocated by Prussia and the Germanic Confederation as a means of settling the Schleswig question. The situation in Schleswig in 1848 was dramatic. Here two nationalist movements, the Danish and the German, each reaching out to gather in all the people of common origin, came into conflict. In race the northern part of Schleswig was admittedly Danish, the southern part admittedly German. Holstein was wholly German and was a member of the Germanic Confederation. The Danish nationalists in Denmark, who were hoping to incorporate the whole of Schleswig, if not Holstein also, into the kingdom, were opposed by the revolutionary provisional government of the duchies, which wished both duchies to enter the Germanic Confederation. The provisional government, in its first manifesto, promised to the people of Northern Schleswig an opportunity to register their choice between the Confederation and Denmark. Relying on the aid of Prussia, however, this same government almost immediately repudiated the promise, but the political value of the doctrine was at once recognized by the Prussian Foreign Minister, von Arnim, as providing, if accepted by Denmark and the neutral Powers, a basis which would *ipso facto* give to Germany a valid claim to the German part of the duchies, as well as offering a hope that the people of North Schleswig might vote against separation from the rest of the duchy. On his suggestion the Confederation formally endorsed the proposal for a vote of the people of North Schleswig; and Bunsen, the Prussian Minister at London, urged it strongly on Lord Palmerston as one of the bases of mediation. Palmerston accepted the proposal of a division, but suggested that the line be drawn " with reference to known or ascertainable facts," to which Bunsen replied " Germany can not give up the principle declared on all occasions, that no separation of any part of Schleswig can ever be thought of, unless the population in the northern districts themselves declare, by an open and unbiased manifestation of their intention to that effect, that they will be separated from the rest of the duchy." [1] The Prussian proposal was not accepted, however, and no further mention of the doctrine is found until the Crimean War precipitated discussion of the Eastern Question.

We now come to the period when the method of popular consultation enjoyed its greatest prestige. From 1855 to 1866 scarcely a year passed without some endorsement of the method. No matter what the attitude towards popular sovereignty at home, there was no one of the great Powers, not even Austria or Russia, which did not participate during those years in some form of appeal to national self-determination to settle the numerous European territorial questions.

Considering how definite was the Russian opposition to all suggestions of popular sovereignty, it is strange to find Russia the first Power to propose the method for solving the question of the Danubian Principalities. Her purpose was to enable the Principalities to unite and so to form a bulwark against Turkey and Austria. Knowing that this was also the desire of the people of the two Principalities, in March, 1855, Gortchakoff proposed that in the memorandum drawn up at Vienna to serve as the preliminary basis for peace, there be inserted a clause providing for consulting the wishes of the Danubian Principalities themselves as to their reorganization. Napoleon was not only favorable to the union as in line with his own policy, but, having made popular appeal the basis of his own throne, was disposed to favor the introduction of the principle as a European custom. The Russian proposal was adopted, and in the ensuing Congress of Paris the details of this plan were elaborated by the French plenipotentiary, Bourqueney, were agreed to by Clarendon, Cowley, Cavour, Brunnow and their colleagues, by the Austrian Representatives and by Aali Pacha for Turkey, and were incorporated in the Treaty of Paris which was signed March 30, 1856. The treaty provided that the settlement of the question of organization of the Principalities of Moldavia and Wallachia should be arrived at by means of an assembly or "divan *ad hoc*" elected in each principality under the joint supervision of the Porte and a European Commission. In this manner, by the initiation of Russia and the support of France, and without a dissenting voice in the Congress, international sanction was given to the method of direct consultation concerning a question of internal order which, it was well known, would involve primarily the question of union of the two Principalities.

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[1] Bunsen to Palmerston, June 24, 1848, *British and Foreign State Papers,* vol. 40, p. 1321. Documents, *post,* p. 878.

The history of the deliberations of the European Commission and the forcing of a second vote in Moldavia by the concerted action of some of its members is of exceeding interest. Lack of harmony due to the conflicting policies of the various European courts towards the question of union somewhat hampered its efficiency, yet in the end the work was well done and the popular will as clearly ascertained as was possible in view of the limited suffrage and the intricate method of indirect election which gave little indication of the will of any but the landed proprietors. So strong, however, was the national feeling of the two Principalities that there appears to have been no disaffection regarding the result.

The declaration for union made by the "divans" was at first disregarded by the Congress at Paris, the diplomatic situation having changed, and a very qualified union was accorded. This arrangement was defeated by the strategem of the two "divans" which proceeded to elect one and the same man as Hospodar or ruler in both Principalities. The Powers thereupon granted a temporary union for the lifetime of the new Hospodar. Russia had been justified in her foresight. Although the losing Power in the Crimean War, she was enabled through appeal to the doctrine of self-determination to outwit not only Turkey and Austria, but Great Britain as well, an outcome doubtless aided by the Sepoy Rebellion and the British Liberals.

The union of the Principalities was effected, for practical purposes, in 1859. In that same year the method of popular appeal in questions of sovereignty was again resorted to in Italy. The first suggestion of the method came from Napoleon. The Emperor, himself a *carbonaro* in his youth, was heir both to the revolutionary principles of 1848 and to the Napoleonic legend, which, so artfully fabricated at St. Helena, had by now convinced the nephew that the uncle had held nationality in special veneration. Spurred on by this idealism as well as by the historic French antagonism to Austrian control of the Italian Peninsula, Napoleon in 1859 had gone to the aid of the Italian patriots.

By the Preliminaries of Villafranca, signed July 11, 1859, the war with Austria came to an untimely end with the freedom of Lombardy as the only fruit of the struggle. By the Preliminaries Austria ceded Lombardy to France with the understanding that it be handed over to Sardinia. Napoleon endeavored to write into the agreement the phrase "according to the votes of the population."[1] Francis Joseph, with characteristic fidelity to the Hapsburg theory of the State and, with the subtle instinct of a despotic sovereign, fully understanding the significance of the phrase, refused, saying that "he was unable to attach any importance to the will of the people," and Napoleon consented to renounce the proposed formula.[2]

Napoleon's devotion to Italian unity had been weakened by fear of opposition at home, not only from the clericals but from those upholding the traditional French policy of a weak Germany and a weak Italy. The Preliminaries of Villafranca liberated Lombardy, but the Emperor had consented to abandon the other Italian peoples once more to their alien dukes, though without providing for the method of forcing their return on their unwilling subjects. The Italians were determined to thwart the provisions of Villafranca. Napoleon's support having been lost to them, the British Cabinet now came forward as their champion. With the support of Palmerston as Prime Minister and Russell as Foreign Secretary, the Italians of the duchies and of Romagna made a second attempt to overthrow the recurring principle of legitimacy and to settle the Italian question by popular consultation, this time through assemblies especially elected and by a limited franchise. Russell, seeing in the method the only hope of a solution of the problem which was threatening the peace of Europe, insisted on no disposal of the duchies before their unbiased opinion had been given. To this proposal the response of the Powers varied. Austria replied that while England looked to populations, Austria looked to governments and could not recognize in established monarchies the principle of popular elections,[3] a disapproval in which Prussia sincerely concurred.[1] Napoleon, however, unable to deny the force of a title based on popular vote, chose to hold the method and circumstances of the vote indecisive and to base on that argument his continued opposition to a union. To meet this opposition, Russell proposed to Cavour that fresh assemblies be elected. Napoleon, helpless before this continued appeal to the principle on which his own throne rested, was forced to agree, but with the stipulation that the vote should be by plebiscite. To this Cavour and the Governors of Tuscany and Emilia eagerly assented, as making the result more incontestable, and Russell agreed on the ground that it was a question for each country to regulate for itself. Plebiscites were accordingly taken in Tuscany and Emilia. The importance attached by Cavour to the plebiscites and his confidence in the method may be gathered from a letter written by him on the day of the voting: "If, as I hope, this last proof is decisive," he wrote, "we shall have written a marvelous page in the history of Italy. Prussia and Russia, while disputing the juridical value of universal suffrage, can not cast a doubt upon the immense value of the fact this day accomplished. The dukes, the archdukes, the grand dukes, will be found buried under the pile of ballots deposited in the electoral urns of Tuscany and Emilia." [2] From this time on Cavour made the plebiscitary method the cornerstone of his policy, and the plebiscites of Sicily and Naples, Umbria and the Marches, followed swiftly and decisively. Cavour's choice of method has been justified. The political effectiveness of a title based on popular will, and its superiority over any based on treaty rights or inheritance, can never be more clearly shown than in the case of Italy.

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[1] Whether this was intended to refer to the vote of 1848 or to a future vote is obscure. The latter interpretation is the one generally given.

[2] *Le Assemblee del risorgimento,* vol. 1, p. cxxxvi; Guido Fusinato, *Le mutazioni territoriali,* p. 99.

[3] *British Parliamentary Papers,* Affairs of Italy [2636], pp. 19 and 34.

We now come to the plebiscites which in subsequent discussions of the method have been made the touchstone of its value. Napoleon had exacted the cession of Savoy and Nice as payment for his acquiescence in the annexation of Tuscany and Emilia. Unable to refuse Napoleon's demand, Cavour wished to protect himself from attack by writing into the treaty a clause providing for consultation of the inhabitants. On this he insisted in spite of the reluctance of Napoleon who was becoming cool in his support of the method on account of the bad impression made on the Northern Powers by the events in Italy.[3]

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[1] The British representative at the Prussian Court wrote that Baron Schleinitz admitted that the method offered a practical solution in Central Italy but "makes no concealment of his disapproval of the principle of appealing to the people of the Italian duchies . . . and I may add that Prussia would disapprove still more of the course about to be pursued if it were based on universal suffrage." *British Parliamentary Papers,* Affairs of Italy [2636], p. 36.

[2] Documents, *post,* p. 523.

[3] Russia, of all the Powers, presented an attitude of acquiescence to the Savoy cession on condition that, whatever Piedmont did, France must not base her claim on a plebiscite. Cf. William R. Thayer, *The Life and Times of Cavour,* vol. 2, p. 211, quoting from Ollivier, pp. 399–401.

It would be a courageous person who would venture to assert, considering the reputation of these plebiscites, that they were fair; and it would be a credulous person who could accept the mass of repeated assertions, unsupported by facts, without some scepticism. The primary error of later historians has been to confuse the two plebiscites and to treat them as one. Scanty as are the specific charges of any value against the vote of Nice, they must be considered far more weighty than those regarding the vote of Savoy which was admittedly French in race, in language and, at the time, in political sentiment. It is not necessary to account for the vote by moral pressure or the military force which, on examination, proves not to have been present. The recent events in Italy had caused in Savoy, French in culture, a fear of the predominance of the Italian element in the Sardinian monarchy which had suddenly become an Italian kingdom. To this fear was added dislike of the anti-clerical attitude of Cavour and the Italian liberals who had captured the Sardinian parliament in the recent elections. Further, the intelligent French offers of commercial development, four years shorter military service, and the removal of custom barriers, must have been potent factors. European apprehension of Napoleon who thus regained the Swiss passes, the personal feeling of Garibaldi who never forgave the loss of Nice, his birthplace, and the disregard of Swiss claims to the neutralized portions of Savoy, were probably the cause of the exaggerated charges, and the charges were greatly aided by the amusing but frivolous attacks of Lawrence Oliphant who bestowed on propaganda and exhortation all the condemnation due to fraud and corruption. Although there is no doubt that the head officials used their position to urge union, some scepticism regarding the other points of criticism seems justified by the fact that in spite of an option clause in the treaty there appears to have been only a negligible emigration; that in 1870, when the two territories might have safely revolted from France, they were, on the contrary, devoted in their loyalty; and that as far as can be discovered, there has not been an irredentist party in Savoy, Italy, or Nice.

Although the governments of Austria, Russia, and Prussia were all absolutely opposed to the Italian independence which had just been erected through popular consultation and Great Britain was especially hostile to the cession of Savoy and Nice so accomplished, the principle was so firmly established by 1863 that it was again and even more definitely written into an international protocol signed by these four Powers which, by the Treaty of Paris, had been set up as guarantors of the Ionian Islands. This protocol was signed on August 1, 1863. In it the acquiescence of the protecting Powers is given to the expressed intention of Great Britain to allow the union of the Islands to Greece if the Ionian assembly should choose such union rather than the continuance of the British protectorate. The new assembly, specially elected on the question, voted unanimously for union, and the desire was solemnly granted in another treaty between the same Powers on November 14, and in a treaty with Greece as cosignatory on March 29, 1864. In all these treaties the vote of the islands is stated as the primary condition of the abrogation of the Vienna arrangement and the union with Greece. However greatly the desire to balance the growing Slav strength to the north, or to reward the Greeks for their recent choice of a sovereign may have contributed to this act, until then unparalleled in history, the choice of method is undoubtedly due to the perception of its value by the British Cabinet, and especially by Lord John Russell.

The most interesting international discussion of the method of the plebiscite, and the one most significant to-day, is that by the eight Powers gathered in the Conference of London which met in the spring of 1864 with the object of converting the temporary cessation of hostilities between Denmark and the Germanic Powers into a permanent peace. The point at issue was again the disposition of the duchies of Schleswig and Holstein, a matter which had supposedly been settled, after 1848, by various treaties regarding the succession in the duchies. Denmark and the neutrals desired that these provisions be restored. Prussia, the Confederation and Austria were determined against it. Perceiving after a lengthy and futile discussion that restoration of the treaty provisions was hopeless, Earl Russell, as spokesman for the neutral powers, proposed that recognition be made of the national aspirations of the two races in Schleswig by a division of the duchy along a frontier which he indicated, no further disposition of the southern part or of Holstein to be made without the consent of the inhabitants " duly consulted." To such a division Denmark and the Germanic Powers agreed in principle, but could reach no agreement on the line of demarcation, each proposing a line which would include many of the alien race, the German delegates claiming the whole of the mixed district and the Danish delegates claiming that and even more.

The Germanic delegates, however, insisted on an unexpected development of the original proposal. It had been the British proposition that the vote should be taken only in those districts to be separated from the Danish crown, namely, in Holstein and the southern districts of Schleswig, in order to ascertain their wish as to their future ruler. Bismarck now resorted to a plan originally proposed to him by Napoleon[1] and instructed the Prussian plenipotentiary to insist that the vote be taken also in the part of Schleswig to be separated from the rest of the duchies. " Guided by the conviction that the Conference should be aware of the wish of the people whose future they were deliberating," Count von Bernstorff, at the order of his government, asked " that the inhabitants of Schleswig should be consulted on the subject of the disposition to be adopted in their regard, and that the fate of these populations should not be decided without their wishes having been previously consulted." [1] This plan of a vote in Northern Schleswig was not pleasing to Denmark as it offered an opportunity to the people to vote against their own ruler, nor was it pleasing to the neutral Powers to whom the preservation of the Danish monarchy was an essential to the Balance of Power. The Germanic delegates being insistent, however, the French plenipotentiary, de la Tour d'Auvergne, then suggested a compromise. His plan was to limit the vote to the district bounded on the north by the line proposed by Prussia and on the south by the line insisted on by Denmark, the vote to be taken by communes under the eyes of delegates of the eight Powers, all military forces having been withdrawn. This, he said, presented a method " which would allow, in the definitive drawing of the frontier line, the giving of the most exact consideration possible to each nationality." [2] This solution at once gained the support of the delegates of the Germanic Confederation and Prussia, as well as those of all the other Powers excepting Russia and Austria who were still true to the principle of legitimacy of the Vienna Congress. The Russian representative, Brunnow, protested eloquently against the indignity of leaving to a vote of peasants a question which the diplomatists of Europe had been summoned to London to settle and said that he should be forsaking the principles which served to regulate the policy of the Emperor were he to admit the appeal which the plenipotentiaries of Prussia proposed to make to the population of Schleswig. On the utter refusal of Denmark to consider any other frontier than the one originally proposed by Russell the conference was forced to abandon the solution and, the period of the armistice having expired, the conference adjourned and the war went on to its conclusion so disastrous for Denmark.

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[1] Heinrich von Sybel, *The Founding of the German Empire by William I*, vol. 3, pp. 318 and 341–351, gives extracts from the correspondence between Bismarck and Drouyn de Lhuys, the French Foreign Minister, on this subject.

The statement is sometimes made that the Conference of London repudiated the method of the plebiscite. Such a conclusion might well be drawn from the adroit summing up of the discussion by the Russian plenipotentiary. Examination of the text of the protocols shows, however, that although Russia definitely repudiated any appeal to a vote, and Austria refused absolutely to support any vote except of the Estates, the plenipotentiaries of Denmark, Great Britain, France, Sweden, Prussia and the Germanic Confederation all accepted the general principle of a plebiscite, and that, although there was definite objection by Denmark and the neutrals to the Prussian proposal of taking a vote in the whole of Northern Schleswig, the French solution of taking a vote in the disputed district and drawing a frontier line in accordance with it met with the unqualified approval of the representatives of all of the Powers except Denmark, Russia and Austria.

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[1] Conference of London, Protocol No. 10, Documents, *post,* p. 913.

[2] Protocol No. 11, Documents, *post,* p. 928.

In 1866 the Powers were once more met at Paris to discuss the question of the Danubian Principalities. Prince Couza, whose election in 1857 had secured the union of Moldavia and Wallachia, had been deposed by his own subjects. The vacancy in the office of Hospodar once more raised the question of union. Turkey and Austria were still opposed to it and Russia now shared their attitude. The Austrian and Russian plenipotentiaries, however, were both careful to base their arguments on the supposed desire of the Moldavians for separation. Both Brunnow for Russia and Metternich for Austria insisted that the people of Moldavia should be able to state their wishes under sure guarantees of liberty and independence.[1] Cowley, the British representative, said that his government had no preconceived opinion either for or against union, had no intention of imposing on the population an arrangement repugnant to them and left it to the wish of the populations. If the people, legally consulted, pronounced for the maintenance of union, the British government would not oppose it and would, in fact, support it with the Porte. In this Prussia agreed. France insisted that beyond question the people of the Principalities were still in favor of union; if further information was desired the joint assembly at Bucharest could be interrogated. This did not please either the Austrian or Russian delegates, who advocated a vote by separate assemblies in each Principality in order to obviate the danger of pressure on the Moldavian delegates. The question of a new election and of joint or separate assemblies was referred back to the home governments. The reply of the Russian government in the dispatch read by Brunnow is interesting. The Russian government replied that the chief requisite for a decision was light. " This light," ran the dispatch, as read by Brunnow, " can be obtained only through a new resort to the vote of the two Principalities, surrounded by all the guarantees which could assure its sincerity." The Principalities had, however, not waited for the Powers to determine the question of an assembly. In the interval the provisional government of the Principalities had taken the matter into its own hands, had dissolved the Assembly and had convoked a new one. Against this action the Conference strongly protested, but ultimately allowed the vote for union cast by the assembly so elected and also granted the wish for a foreign prince, a desire which had been often expressed by the Principalities and which had finally been put to a direct vote of the people by the provisional government.

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[1] Metternich declared " Son gouvernement désire dans tous les cas que les populations Moldaves puissent émettre leurs vœux sous certaines garanties de liberté et indépendence." Conference of Paris, 1866, Protocol No. 2, Martens, *N. R. G.*, vol. 18 p. 175.

This same year of 1866 saw a second treaty of cession containing a stipulation for a plebiscite. The Treaty of Prague, signed on August 23, 1866, terminated the war between Prussia and Austria over the spoils which they had seized from Denmark in 1864. Article V contains the stipulation that Prussia shall incorporate the duchies only on condition that the populations of Northern Schleswig shall be ceded to Denmark if by a free vote they express such a wish. Contemporary observers and later historians agree in crediting the clause to the influence of Napoleon, who had acted as mediator. Whether or not this is the fact, it is obvious that the suggestion as to Northern Schleswig was far from novel and had acquired its original prestige from Prussia. Parentage, however, did not prevent Prussia from at once unconditionally annexing the duchies *in toto* on January 12, 1867, before any negotiations had been begun with Denmark.

Bismarck had at first shown every intention of carrying out the plebiscite in Schleswig. On December 20, 1866, he had declared before the Prussian lower house that in his opinion a people unwillingly annexed could not be an element of strength and that the government could not refuse to redeem the pledge made in that treaty.[1] The yielding of Bismarck to pressure from the military party marks the maturing of another philosophy — the negative of that of popular sovereignty — the maturing, in fact, of a philosophy which had been developing across the Rhine, where a new nation was being erected, based on the principle not of consent, as in Italy, but of conquest. The national democratic movement of 1848 having failed in Germany, thanks to the determination of Prussia to play a leading part in the new nation, German political philosophy had become enamored of another method, the method of blood and iron. Far different from the unification of Italy, which had been effected under the spirit of 1848, German unity represented a counter movement. In her annexation of Hanover and Hesse in 1866, Prussia had shown no regard to the popular will. In 1867 she annexed Schleswig in spite of the conditional clause in the treaty. After 1867 and especially after 1870 any support of national self-determination constituted an indictment of the whole German political structure as well as of German action in Schleswig, a fact which German writers were not slow to discern.

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[1] Emil Elberling, *Partage du Slesvig,* in Franz C. de Jessen, *Manuel historique de la question du Slesvig,* pp. 154 and 307; *Fusinato,* p. 103, quoting from *Lawrence,* pp. 80–82.

Elberling in his chapter on the partition of Schleswig in *de Jessen,* p. 154, says that on October 13, 1864, Bismarck had declared that, in his opinion "si le Slesvig du Nord à un moment donné était restitué au Danemark, cet événement ne serait pas un grand malheur."

The subsequent history of the doctrine becomes, after 1867, primarily one of discussion rather than of practice. There are, to be sure, a few scattering examples of a resort to self-determination after the Treaty of Prague. Denmark, while still hopeful of arriving at an agreement with Prussia, insisted on a plebiscitary clause in the treaty of cession of the islands of St. Thomas and St. John to the United States, and the plebiscite was actually held in January, 1868. The Italian government insisted on a plebiscite being held in Venetia in 1866, and in Rome in 1870, before the annexation of these provinces to the kingdom. The treaty of cession signed by France and Sweden in 1877 provided for a plebiscite in the island of St. Bartholomew. A clause stipulating for a plebiscite was incorporated in the Treaty of Ancon in 1883. But although all of these plebiscites, except that of the Treaty of Ancon, were duly carried out, nevertheless the cynical disregard of obligation under the Treaty of Prague shown by Prussia was a blow to the prestige of the principle, a blow the greater because of the growth of Germany as a world Power, and because of the growing custom of students of history and political philosophy to seek instruction in German universities. The philosophic arguments there propounded were too valuable as support for the imperialistic and anti-democratic desires of individuals and groups in other countries not to gain eager credence.

In attempts at settlement of questions of sovereignty and boundaries by the Treaty of San Stefano in 1878 and the Congress of Berlin in 1878 the doctrine and method were both ignored. The last case of successful appeal to the doctrine before the war of 1914 was that of Crete, which, after constant disregard by the Powers of its repeated vote for union with Greece, passed by each successive elective assembly, at last, in 1912, won their final consent to the ending of a situation grown untenable through continued discontent and made acute through the threatened hostilities between Greece and Turkey. The doctrine had, however, been abandoned by statesmen as being inconsistent with the policy of Balance of Power. Diplomacy had returned to the methods of the Congress of Vienna. Once more, as after Vienna, the doctrine was to find its support from the people whose national aspirations had been thwarted and from political students interested in perfecting tools suited to achieve the stability which had become more than ever essential to the delicate balance of the complex organization of society.

The period of discussion of the position of the doctrine of self-determination in international law begins with the years following 1866. Liberal thought in Europe was insistent that the pledge of the Treaty of Prague be fulfilled. In one of the first issues of the newly instituted *Revue de droit international* at Brussels, the editor, Rolin-Jaequemyns, made a short but eloquent attack on the Prussian failure and insisted on both the legal and natural right of the people of Schleswig.[1]

To neutral thought there was no question of Prussia's obligation and the doctrine would in all probability have reasserted itself had it not been fatally weakened by the universal conviction that the moral guilt for the war of 1870 lay with France. In the opinion of the day, France, for purposes of conquest, had entered on an unjustified war of offense against a guileless Prussia. Such, thanks to the universal distrust of Napoleon III, was the sober judgment of neutrals at the time, a judgment not to be amended until the publication of the true story of the Ems dispatch. To the righteous anger of many of these liberals it appeared to be mere justice that France should herself suffer those pains of conquest which she had meant to inflict. In the treaty giving Alsace and Lorraine to Germany the clause giving to residents of the ceded territories an option of retaining French citizenship, on condition of making their home in France, was thought sufficient concession to the rights of the inhabitants.[2] Rolin-Jacquemyns, who a few short months before had written that the people of Schleswig had the right inherent in all men not to be bartered about like beasts, now defended the right of the victor to extort territorial cession as a *poena temere litigantis,* and in this he reflected the view of many whose resentment had utterly blinded them to the rights of the inhabitants themselves.[3] Yet as public opinion, still condemning France, regained its balance sufficiently to regard the protests of the people of the conquered provinces,[4] there followed a wave of condemnation of such an infringement of a people's right to be consulted. The demand, voiced by Sumner in his address in Boston in October, 1870,[5] was so strong as to cause Francis Lieber, by birth a Prussian, and by nationality an American, to publish in 1871 an essay on the value of plebiscites in international law, attacking both the principle itself and the cases where it had been invoked.[1] Lieber's attack, coming, apparently, from a neutral source and from a writer of eminence, undoubtedly had tremendous effect in the conflict between the two principles. His main theses, that the plebiscite was wrong in theory as subjecting the minority to the rule of a simple majority, and that in practice it had been used only after a *fait accompli,* are repeated and amplified by all the subsequent writers who oppose the doctrine. He silenced American protest by pointing out that the method had not been invoked in any of the annexations of Texas, Florida, Louisiana or California, and he ended with a warning that the Americans had best concentrate on the Monroe Doctrine and leave European affairs alone.

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[1] *Revue de droit international et législation comparée,* vol. 2 (1870), p. 325.

[2] Article 2 of the Treaty of Frankfort, signed May 10, 1871, reads as follows: "Les sujets français, originaires des territoires cédés, domiciliés actuellement sur ces territoires, qui entendront conserver la nationalité française, jouiront jusqu'au Ier octobre 1872, et moyennant une déclaration préalable faite à l'autorité compétente, de la faculté de transporter leur domicile en France et de s'y fixer, sans que ce droit puisse être altéré par les lois sur le service militaire, auquel cas la qualité de citoyen français leur sera maintenue," A. J. H. and Jules de Clerq, *Recueil des traités de la France,* vol. 10, p. 473.

[3] *Revue de droit international et législation comparée,* 1870, vol. 2, p. 696, and 1871, vol. 3, p. 172.

[4] The elections for deputies held in the provinces on February 8, 1871, during the German occupation, had resulted in an almost unanimous vote against annexation. On February 17 these deputies delivered to the National Assembly at Bordeaux a formal protest in the name of the people of Alsace-Lorraine. The protest was based, however, not on the right of self-determination but on the inviolability of national territory, the defense chosen by Thiers. "Une assemblée, même issue du suffrage universel, ne pourrait invoquer sa souveraineté, pour couvrir ou ratifier des exigences destructives de l'intégrité nationale. Elle s'arrogerait un droit qui n'appartient même pas au peuple réuni dans ses comices." Coleman Phillipson, *Alsace Lorraine, Past, Present, and Future,* p. 99.

[5] Charles Sumner, "Duel between France and Germany," in *Addresses on War.*

However powerful this argument may have been with Americans, French protests could not be so easily silenced. In pamphlets, journals and treatises the French writers stated the French case. The doctrine of self-determination, they insisted, was one established by natural right and international usage, and though in origin a French doctrine, it had been adopted by the whole of Europe. The Germans answered with an amplification of Lieber's argument. The so-called principle was, they said, wrong in theory and valueless in practice, it contradicted the doctrine of the organic nature of the State, it would permit of secession and it would hamper a State in obtaining peace by denying the right of cession. Pointing with one accord to the plebiscite of Savoy and Nice as indicative of the evils attendant on the method, they all supported the doctrine of the individual option to emigrate, a doctrine of which wide use had already been made, as far preferable and a sufficient recognition of the rights of the inhabitants.

The French view is advanced by Montluc in 1872, by Ott in 1874, by de la Guéronnière in 1876, by Cabouat in 1881, by Renan in 1882, by Rouard de Card in 1890, by Heimweh in 1892, and by Audinet in 1896.[2] In 1877 the

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[1] "De la valeur des plébisçites dans le droit international," *Revue de droit international et législation comparée,* 1871, vol. 3, p. 139, reprinted in English in his collected works. Lieber was born in Berlin on March 18, 1800.

[2] L. A. de Montluc, "Le droit de conquête," *Revue de droit international et législation comparée,* 1871, vol. 3, p. 531; M. A. Ott's edition of J. L. Klüber, *Droit des gens moderne de l'Europe,* p. 366, note.

"De nos jours, on s'est mis à consulter directement les habitants des provinces contraintes par les traités ou les lois de la guerre à changer de domination. On peut dire, en quelque sorte, que, si le plus fort conquiert encore des territoires, il ne conquiert plus de sujets." *de la Guéronnière,* vol. 1, p. 432.

Jules Cabouat, *Des annexions de territoire,* p. 129, "Une nation peut bien renoncer à son droit de souvraineté sur tel territoire, rompre le lien qui l'unit aux populations des pays cédés, mais il lui est impossible de les engager envers l'Etat annexant, par le seul effet de sa volonté."

French Minister of Foreign Affairs in his address to the Chamber regarding the treaty of cession of St. Bartholomew had said, " The stipulation of a plebiscite, insisted on by Sweden, was too much in accord with the sentiments and with the rules of our public law of France, for any objection to be made to it." [1] Possibly the plebiscite held in St. Bartholomew and also the consulting of the chiefs of Tahiti regarding the treaty of cession of the island to France in 1880 [2] has some relation to the French desire to establish the doctrine against the German claim to French territory, and is, in this way, similar to the Danish attempt in the West Indies.

The case against plebiscites was argued with fervor by Holtzendorff, and, though less warmly, by Bluntschli, by Geffcken in a note to Heffter, by Stoerk and by an Italian, Padelletti.[3] There appears to have been no devia-

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Ernest Renan, *Qu'est-ce-qu'une nation?* p. 29. " Si des doutes s'élèvent sur ses frontières, consultez les populations disputées. Elles ont bien le droit d'avoir un avis dans la question. Voilà qui fera sourir les transcendants de la politique, ces infallibles qui passent leur vie à se tromper et qui, du haut de leurs principes supérieurs, prennent en pitié notre terre-à-terre. ' Consulter les populations, fi donc! Quelle naïveté. Voilà bien ces chétives idées françaises qui prétendent remplacer la diplomatie et la guerre par des moyens d'une simplicité enfantine.'— Attendons, messieurs; laissons passer le régne des transcendants; sachons subir le dédain des forts. Peut-être, après bien des tatonnements infructueux, reviendra-t-on à nos modestes solutions empiriques." The solution of a plebiscite in Alsace-Lorraine was urged as late as 1913 by J. Novikov in *L'Alsace-Lorraine, obstacle à l'expansion allemande.*

Edgard Rouard de Card, *Études de droit international;* J. Heimweh, *Triple Alliance et Alsace-Lorraine;* Eugène Audinet, " La prescription acquisitive," *Revue générale de droit international public,* 1896, vol. 3, p. 317.

[1] " Cette demande était trop conforme à notre propre sentiment et aux règles de notre droit public pour que nous y fissions des objections." Decazes, " Statement of the Reasons for Support of the Bill Approving the Treaty of St. Bartholomew," Documents, *post,* p. 980.

[2] *De Clerq,* vol. 12, pp. 571, 572 and 624.

[3] Fr. von Holtzendorff, " Le principe des nationalités et la littérature italienne du droit des gens," *Revue de droit international et législation comparée,* vol. 2, 1870, p. 92.

In 1869, Bluntschli in *Le droit international codifié,* §§ 286 and 288, had written:

" La reconnaissance de la cession par les populations ne peut pas être passée sous silence et supprimée, car celles-ci ne sont pas une chose sans droits et sans volonté, dont on se transmet la propriété; elles sont une partie essentielle, vivante, de l'état et la résistance de la population rend impossible la prise de possession pacifique du pays. . . . Cette reconnaissance n'est pas nécessaire pour soumettre le nouveau territoire et y organiser le pouvoir; mais elle est indispensable pour conférer la sanction du droit au nouvel ordre de choses. Elle sert à constater que la nouvelle situation est nécessaire et stable, c'est-à-dire qu'elle est légitime." In 1878, however, Bluntschli argued that although the express approval of the inhabitants was desirable, a recognition of necessity, manifested by passive obedience and abstention from resistance against the new government was sufficient (*Das moderne völkerrecht der civilisirten staaten,* 3d ed. 1878, p. 286, cited by Fusinato, p. 139, note) and the same passage was added to his edition of the *Droit international codifié* of 1881. Fusinato, p. 138, quotes another passage of Bluntschli's written in 1875, in which Bluntschli says that Hugo Grotius requires that, when a part of the territory must be alienated, not only the approval of the whole but also that of the inhabitants of the portion of territory in question; " and rightly," comments Bluntschli, (to quote from the Italian) " because it is a question of tion in the attitude of support of popular appeal by the statesmen,[1] or the political writers of France until 1894 when support came to the German view from one of the chief French writers on international law, Bonfils, and, later, from Despagnet.[2] These opposed the doctrine of national self-determination as contrary to the right of the body politic over any of its parts, as being dangerous to the State by implying the right of secession, and as entrusting to the dangers of universal suffrage a question affecting future generations. Of the other French writers Pradier-Fodéré [3] mentions the doctrine as having been specially made use of in the second half of the nineteenth century. From a note in his translation of Fiore's *Nouveau droit international* [4] and from the fact that he includes individual option under the head of popular consultation, he may be fairly said to deny the doctrine any status in international law. Bourgeois, however, says that the doctrine is one which has intrenched itself in the European conscience.[5]

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their entire political existence, and it is not possible that they can be sufficiently represented by the legislative powers of the whole state at a time when the latter are disposed to dismember the community." *Allgemeine Staatslehre,* 5th ed. Stuttgart, 1878, pp. 280–281. Fusinato points out this inconsistency and makes the comment, " Evidently the fact of the cession of Alsace and Lorraine exercised an influence upon the scientific opinions of the eminent writer."

In Geffcken's edition of A. W. Heffter, *Le Droit international de l'Europe,* p. 438, note 2 (4th ed.), he says, " le plébiscite mis en scène plusieurs mois après la prise de possession de la Savoie n'est qu'une simple comédie,"— to which Rouard de Card makes the comment, " C'est là une affirmation purement gratuite," *op. cit.* p. 73.

Felix Stoerk, *Option und Plebiscite bei Eroberungen und Gebietscessionem,* reviewed in *Revue de droit international et législation comparée,* vol. 13 (1881), p. 106; Guido Padelletti, " L'Alsace et la Lorraine et le droit des gens," *Revue de droit international et législation comparée,* 1871, vol. 3, p. 464.

[1] The following quotation from Thiers in an address to the *corps législatif* on March 18, 1867, is the sole example of French opposition to the doctrine before 1894 which the German writers have been able to present: " Le principe nouveau de consentement des populations est un principe *arbitraire, très souvent mensonger, et qui n'est au fond qu'un principe de perturbation quand on veut l'appliquer aux nations." Revue de droit international et législation comparée,* 1871, vol. 3, p. 174.

[2] " Un plébiscite ne peut être que la ratification d'un fait déjà réalisé et accompli. . . . Le système des plébiscites attribue aux habitants d'un pays des droits qu'ils n'ont pas et un pouvoir qu'ils ne sauraient exercer. . . . La garantie réelle et vrai contre l'aliénation capricieuse d'une portion du territoire et de l'Etat cédant réside dans les libertés essentielles du régime représentatif, dans la nécessité d'obtenir des Chambres législatives, auxquelles est délégué concurremment avec le pouvoir exécutif l'exercice de la souveraineté, l'approbation de tout traité comportant une aliénation du territoire de l'Etat." Henri Bonfils, *Manuel de droit international public* (1st ed.), §§ 567–571.

*Despagnet* (3rd and 4th eds., Paris, 1905 and 1910), § 396. The first edition appeared in 1894. It makes no mention of the doctrine of national self-determination.

[3] Pradier-Fodéré, *Traité de droit international public européen et américain,* 1906, vol. 2, p. 394 § 833.

[4] Pasquale Fiore, *Nouveau droit international public suivant les besoins de la civilisation moderne,* vol. 2, p. 6. Translation by Pradier-Fodéré.

[5] " Le monde civilisé n'admet plus que les destinées des hommes, qu'ils soient réunis ou

Of writers on international law in other countries, the English writers, in treating of cession, for the most part ignore the doctrine of self-determination. Hall states definitely that it has no standing in law; Oppenheim mentions it, but doubts if plebiscites will ever be made a rule of international law.[1] Phillimore appears to be kindly disposed to the doctrine of self-determination but prefers vote by assembly, as in the Ionian Islands, to a plebiscite.[2] Coleman Phillipson gives some account of the history of the doctrine, but dwells on its disadvantages. He cites from Lord Salisbury the accurate but misleading phrase that "the plebiscite is not among the traditions of this country."[3] Voting by manhood suffrage is indeed not among the traditions of Great Britain, but the principle of national self-determination owes much of its prestige to British statesmen.

Although it is arguable that the historic attitude of the United States in refusing to recognize a new nation or government until the government, by a vote, if possible, demonstrates that it has the support of the majority, bears some relation to the doctrine of self-determination, Lieber is right in asserting that the United States has never required a vote in cases of cession. The negotiation of the treaty with Denmark in 1867, containing a stipulation for a plebiscite in the Danish Islands, can not be construed as an American recognition of the principle; it was due to the insistence of Denmark, and Seward was most reluctant, for diplomatic reasons, to allow the clause to remain.[4] Most American authorities omit any reference to the subject of popular appeal on questions of cession. William Beach Lawrence in 1868 speaks of the principle as one constantly supported in recent times by France,

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isolés, puissent dépendre de la volonté d'autrui. Et, autant que le sentiment du respect dû à la signature des traités, celui du respect dû au droit des peuples s'emparait d'une façon imprécise, mais certaine, de la conscience européene." Léon Bourgeois, *La société des nations*, p. 12.

[1] W. E. Hall, *International Law* (4th ed.), § 9; Lawrence Oppenheim, *International Law*, vol. 1, § 219 (2d ed.).

[2] Sir Robert Phillimore, *Commentaries upon International Law*, vol. 1, p. 585.

[3] Coleman Phillipson, *Termination of War and Treaties of Peace*, pp. 282–285. Hansard, *Parliamentary Debates*, 3d series, vol. 345, p. 1311.

[4] To the suggestion made by Japan in 1897 that a plebiscite be held in the Hawaiian Islands, Secretary Sherman asserted the impropriety of appealing from the action of the government to the population, and that "in international comity and practice the will of a nation is ascertained through the established and recognized government, and it is only through it that the nation can speak" (Mr. Sherman, Sec. of State, to Mr. Toru Hoshi, Japanese Minister, August 14, 1897). John Bassett Moore, *Digest of International Law*, vol. 1, p. 274.

The American Peace Commission at the conclusion of the Spanish War stated in their memorandum of October 27, 1898, that . . . "much less do the American Commissioners maintain that a nation cannot cede or relinquish sovereignty over a part of its territory without the consent of the inhabitants thereof . . ." (Senate Document 62, 55th Cong., 3d sess., pt. 2, pp. 100–107; *Moore*, vol. 1, p. 376).

but as not being definitely established as a rule of international law.[1] Woolsey, however, gives views as to alienation precisely like those of Grotius and Pufendorf.[2]

Calvo, the chief South American writer, may be quoted by both sides in the controversy. In 1880 he definitely states that it has become a rule of international law that to render cession valid the consent of the inhabitants is required.[3] In 1896 this is modified to a reference to option and plebiscite as possible accompaniments of cession.[4] The question is far from academic in South America where the chief question still at issue is the carrying out of the plebiscite stipulated by the treaty of Ancon in 1883. Alejandro Alvarez, a Chilean writer, repudiates the doctrine as useless in theory and in fact. The Chilean case involves a rather ingenuous argument which should be mentioned. It appears to be as follows. As every plebiscite which has ever been held on a question of cession has resulted for the affirmative, the signers of the treaty of Ancon intended the clause stipulating for a plebiscite to be the equivalent of a cession, or, in the Chilean phrase, a "simulated cession." The actual plebiscite is therefore unnecessary, and if held it should be under such conditions as to insure a vote for cession to Chile and to allow of no possibility of a vote for Peruvian sovereignty.[5]

The Italian writers give an even stronger support to the principle than do the French, a fact not surprising when one considers the history of Italy. Fiore, the chief Italian writer on international law, in the first edition of his treatise on law as it is, makes an unqualified assertion that treaties of peace containing clauses of territorial cession, either of a state or a province, should not be valid without the consent of the part ceded.[1] In his second edition, however, published, significantly enough, after 1871, while granting full value to an expression of the will of the people for the constitution of what he calls " legitimate aggregations " he does not hold as indispensable the consent of the inhabitants for the validity of treaties of territorial cession, although, he maintains, without such consent, express or tacit, effective possession of the ceded territory can not take place.[2] Of the other authorities, Mamiani, Mancini, and Pierantoni all base the State on nationality and uphold the right of a nationality to form itself into a State. For all cessions of territory Mamiani and Pierantoni assert that it is of the greatest importance that the inhabitants should be consulted and should give their manifest and sincere assent.[3] Fusinato states definitely that the union of the Italian kingdom is based on self-determination by plebiscites. He upholds the juridical status of the doctrine and defends it against the various attacks of its opponents. His analysis of the arguments in opposition and in support of the doctrine is by far the most comprehensive in treatment of any which has been attempted.

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[1] William Beach Lawrence, *Commentaire sur les éléments du droit international et sur l'histoire de progrès du droit des gens de Henry Wheaton*, vol. 1, p. xviii. No reference to the doctrine is found in Lawrence, 1st edition of Wheaton of 1863.

[2] "A State's territorial right gives no power to the ruler to alienate a part of the territory in the way of barter or sale as was done in feudal times. In other words, the right is a public or political and not a personal one. Nor in justice can the State itself alienate a portion of its territory without the consent of its inhabitants residing upon the same, and if in treaties of cession this is done after conquest, it is only the acknowledgment of an unavoidable fact." T. D. Woolsey, *Introduction to the Study of International Law* (2nd ed.), § 52.

[3] "Désormais, pour rendre définitifs et valides la cession, le transfert ou la vente d'un territoire, il faut que les habitants même du pays appelé à changer de nationalité y donnent leur consentement exprès ou tacite." *Calvo* (3d ed. 1880–81), § 220. Calvo in his first edition published in Paris in 1868 had said "Necesitase hoy para que la cesion, trasferencia, enajenacion, etc. de un territorio perteneciento à un Estado sea válida, el consentimente espreso ó tacito de las personas que lo habiten." *Derecho internacional teórico y prático*, vol. 1, § 131.

[4] Calvo, *Droit international* (5th ed.), § 266.

[5] "El conjunto de consideraciones hasta aqui expuestas, demuestra de manera palmaria el derecho de Chile para sostener que las provincias de Tacna y Arica le han sido cedidas por el pacto de Ancón; que el plebiscito estipulado es de mera fórmula; y que por consiguiente, como todos los efectuados hasta el día, debe celebrarse en condiciones que den un resultado favorable á la anexion." Ministerio de Relaciones Exteriores de Chile, *Comunicaciones cambiadas entre las Cancillerías de Chile y el Perú y algunos antecedentes sobre la cuestión de Tacna y Arica,* 1905 *to* 1910 (2nd ed. 1912), p. 174 *et seq.* The writers on the Peruvian side, Belaunde and Wiesse, can not be quoted as their treatises are not available in this country.

The arguments for and against the doctrine of national self-determination may be summarized as follows. The opponents of the doctrine agree that to legitimatize a title gained by conquest the express consent of the two contracting powers and the tacit assent of the inhabitants are sufficient. Against the method of the plebiscite they advance arguments attacking both the validity of its underlying theory and the expediency of leaving to a vote by universal suffrage a question of such importance as sovereignty. Their first argument is that the cession of sovereignty is outside the domain of international law and is of merely political importance, concerning only the two States involved. This position appears to result from a failure to analyze the threefold aspect of a cession of sovereignty, namely, alienation, transfer and integration. It is true that these three phases are of unequal interest in international law. The first phase, alienation, corresponding to " divesting of title," is obviously a matter largely of constitutional law, but a matter certainly open to regulation by international law, as it involves national debt, police and, if done during war, questions of neutrality and blockade. The second stage, that of transfer, clearly concerns international law, for it has to do with the relations of two States at least. The third stage, that of integration, is of a mixed character, concerning the municipal or constitutional law of the annexing State and, as it involves a question of title, concerning international law also. The subject of validity of title has long occupied the attention of writers on international law, for, as is well known, discussion of title by conquest, discovery, preemption, occupation and treaty occupy a place in the treatises, and the doctrines have broadened and developed to meet geographical and political exigencies.

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[1] " Le second principe que nous établissons est le suivant: les traités de paix qui entrainent la cession d'une partie d'un territoire national ou d'une province entière ne peuvent être valides sans le consentement spécial de la province qui doit passer sous la domination des vainquers." Fiore, *Nouveau droit international public.* (1st ed.) Translated by Pradier-Fodéré. Paris, 1869. Vol. 2, p. 6. The first edition was published in Italian in 1865.

[2] *Ibid.* (2d ed.) Translation by Charles Antoine, Paris, 1885, vol. 2, §§ 1081 to 1085.

[3] This summary of the views of Mancini, Mamiani and Pierantoni is taken from the article by Holtzendorff in the *Revue de droit international et législation comparée,* 1870, vol. 2, p. 92, entitled " Le principe des nationalités et la littérature italienne du droit des gens," and from *Fusinato.* The original works, which can not be obtained in the libraries at hand, are: Mamiani, *Dell' ottima congregazione uniana e del principio di nazionalita* and *Di nuovo diritto pubblico Europeo,* 1859; Pierantoni, *Storia del diritto internazionale nel secolo XIX,* p. 402 *et seq.*

Besides those authors already cited, *Fusinato,* p. 136, mentions the following as in favor of the principle of the plebiscite in questions of cession: Bonghi, *Il Bismarkismo, in Nuova antologia,* 1871, p. 257 *et seq.;* Palma, *Del principio di nazionalità,* p. 29, and *Trattati e convenzioni in vigore fra il Regno d'Italia e i Governi esteri,* part 1, introduction, p. 18; Brusa, in the introduction to his edition of Casanova, vol. 1, especially p. cccxlix *et seq.*

Of foreign writers not already mentioned, he cites as in favor: C. von Rotteck, in *Staats-Lexicon* of *Rotteck und Welcker,* neue Aufl. Altona 1845, vol. 1, s. v. Abtretung, p. 164 *et seq.;* Danewsky, *L'equilibrio politico, la legittimitá e il principio della nazionalità,* 1882, (in Russian) ; a criticism of it appears in *Annuaire de l'Institut de droit international* (6th ed. 1883), p. 314; and opposed: Lasson, *Das Culturideal und der Krieg,* Berlin, 1868, p. 52, and *Princip und Zukunft des Völkerrechts,* Berlin, 1871, p. 83; Selosse, *Traité de l'annexion au territoire français,* Paris, 1880, p. 95; and F. de Martens, *Traité de droit international,* (from the Russian), Paris, 1883, vol. 1, p. 469 *et seq.* It is interesting to find that the only German writers in the list in favor of the doctrine are those publishing before 1866.

The opponents next assert that the doctrine that a part of a State may resist a cession desired by the whole State is wholly subversive of the true doctrine of sovereignty, and that it defeats its own proposed object of securing the rule of the majority, since it allows that will to be thwarted by a minority.[1]

Such a result, they say, is like allowing a tenant to decide whether he will pay rent to his landlord or to another.[2] They also point out that a use of self-determination might well obstruct peace, for it might happen that only by a cession could a defeated State negotiate peace, as in the case of France in 1871. It might also defeat the ends of justice by preventing the victorious State, the victim of aggressive war, from enjoying the just fruits of victory.[3] The supporters answer that the punishment of guilt for starting a war should be arranged by indemnities or payment by other means involving property loss only, but that it should not be made by means of change of sovereignty over people. They assert, moreover, that although a State may with right separate a part of itself for its own interest or safety, with that separation sovereignty ceases, the part so abandoned having the right to dispose of itself. The proposition that the right of transfer does not exist, in which practically all the supporters of the doctrine agree, appears to be based on the presence of a latent sovereignty in each group, whether artificial or natural — a latent sovereignty which asserts itself when the former sovereignty ceases through separation. It is this conception of latent sovereignty as well as that of the right of a people to resist separation, which arouses that fear of secession which is so vividly felt by the opponents of the doctrine.[1] The supporters assert, however, that the right of secession is not an inevitable corollary, for to say that the people have the right to oppose separation or transfer is far from saying that they have the right to initiate it. Indeed on this point it might well be said that the right of successful secession is already recognized by international law, and that to introduce the requirement of a popular vote in such cases would be to cast on the party of secession the burden of proving the extent of its strength not only by force of arms but also by the ballot. It might well be that by such insistence secession would be discouraged and the State protected.[2]

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[1] Cf. *Lieber,* also *Bonfils* (1st ed.), § 571.

[2] *Fusinato,* p. 144, quotes Paul Laband, *Das staatsrecht des Deutschen Reich,* vol. 1, p. 184, to this effect.

[3] Geffcken, *Heffter,* p. 438.

The opponents' objection to the practical value of the plebiscite may be summarized under three heads. The first is the reluctance to allow the fate of the territory to be settled by a bare majority, swayed, in their apprehension, not by reason but by sentiment of a possibly evanescent sort. The answer is made that it is better to have the majority rule rather than the minority, and that the most important of all matters is precisely sentiment, which is the force most important to enlist for the purpose of stable order.[3] The second objection is that the plebiscite presents opportunity for pressure and fraud, exemplified particularly in Savoy and Nice.[4] The citation of the votes of Savoy and Nice against the doctrine is of no value according to Fusinato, who says that all the accusations brought, and fairly brought, against these plebiscites, especially on account of faulty execution, can not detract from the theoretical importance of the affirmation of the principle itself.[5] The third objection to the plebiscites of the past is that they have merely been an unnecessary ratification of a *fait accompli.* As to this argument Fusinato adds that it has even here a juridical value by showing that the right was bound up with the force used, because to force was added the will of the people, and that by resort to the plebiscite all occasion for doubt, dispute or recrimination is removed and the State is given that formal juridical title which is invaluable.[1] He points out that the practical objections raised are largely those always raised against universal suffrage, and that, with proper care, opportunities for fraud should be rendered negligible.

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[1] Padelletti, Lieber, Bonfils, Rivier, Holtzendorff, Despagnet.

[2] In the case of the Southern Confederacy although no referendum was taken on the question of secession, except in Texas, especially elected State conventions in the States of the far south did indeed vote for secession, before the attack on Sumter. A vote from which a whole class is excluded, however, even if that class be unenfranchised slaves, cannot, by hypothesis, be considered as self-determination in the eyes of the twentieth century, whatever standing it may have had in the nineteenth. It is noteworthy that it was only after the call for federal troops, after Sumter, that Virginia and the other border slave States changed their votes from union to secession.

[3] *Fusinato*, p. 41.

[4] Lieber was perhaps the first writer on international law to attack the Savoy vote. His attack has been repeated by practically every writer in opposition.

[5] "Tutte le accuse di cui fu oggetto questo plebiscito, specialmente, come diremo, per i

To avoid the several dangers enumerated, the opponents of the doctrine assert that the rights of the individual are sufficiently safeguarded by the doctrine of individual option. To this Fusinato answers at length that however relatively great may be the use made of option it always remains quite trivial as regards the mass of the inhabitants, for the great mass in its entirety, even after the exercise of individual option and the effective change of domicile by some, remains as it was before. Moreover, to say that the act of the man who remains inactive should be interpreted as an act of spontaneous submission and of preference is often a sad irony. How little individual option favors the liberty of the people, he continues, is shown easily by the fact that the most liberal treaties in regard to the right of option were precisely those that settled the partition of Poland.[2] He might have added that the option clause in the treaties of Prague and of Frankfort were far from sufficient.

The war has rescued the principle of self-determination from its academic retirement. It comes to the fore again without the prestige of its past, for that has been forgotten with the passing of the generation of statesmen who supported it. Now, as then, it is turned to as a doctrine promising a practical solution for those difficulties which were certainly not solved successfully by the ephemeral experiments made in the Congresses of Vienna and of Berlin and in the Treaty of Frankfort. One hears no longer that it is a doctrine which does not concern international law; for it grows obvious to the world that everything which concerns sovereignty concerns international law. The question whether or not the doctrine of self-determination has standing in international law has yielded to the question of its fitness for the purposes of our generation. Thus to-day it becomes worth while to restate the reasons which have been urged heretofore, and which will now

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vizii della sua esecuzione, non possono evidentemente togliere nulla alla importanza teorica dell' affermazione del principio in se medesimo." *Fusinato,* p. 104.

[1] " Il valore giuridico della pacifica manifestazione nei plebisciti, la quale segue la violenza della rivoluzione, consiste appunto in questo, che essi purificano l'opera della forza, dimostrando che con essa stava collegato il diritto, perocchè ad essa si aggiungeva l'elemento della volunta del popolo." *Fusinato,* p. 134.

[2] *Fusinato,* p. 156.

inevitably be urged again in answer to its opponents. These reasons will now be summarized.

Title rests for its final sanction on public opinion. History would seem to prove that, in questions of territorial sovereignty, public opinion bases its judgment on an unexpressed major premise, namely, that no title acquired either through treaty, conquest or occupation, or based on economic, racial or historical arguments, or arguments of military necessity, is valid, no matter how many centuries it has run, unless it has behind it the consent of the majority of the inhabitants of the territory. Of this fact Ireland, Poland, Italy, Bohemia and Alsace-Lorraine are sufficient proof.

The doctrine of national self-determination was born of the chief contribution of the eighteenth century to political thought, the assertion of the right of the individual to freedom from despotic control. It is an axiom of the twentieth century that the individual's right to self-government must yield to the welfare of society as a whole. One must, therefore, ask how far the doctrine is consistent with our present philosophy. It is often asked whether or not the national aspirations of one group should outweigh the economic desires of another, if it should appear that satisfaction of those desires is for the good of society. The answer is that the main requisite of society is order, to which validity of title and territorial sovereignty is essential. If this is so, then it appears that the interest of the world and that of the group are one, and that only by basing title on the principle of national self-determination can there be a presumption of stability for the State or for the world-wide society of States.

The principle of national self-determination once accepted, there are practical reasons why the plebiscite should be resorted to in order that the will of the majority may be ascertained in a definite statistical fashion. The purpose might be thought to be served either by mere imagination or by indirect consultation through an international commission collecting evidence of the desire of the inhabitants by a survey of history, literature, economic ties and interests, statistics as to race, language and religion, and by receiving deputations and petitions. Even were it possible by these means to hear from unorganized masses and interests, it can be easily shown that the criteria of racial and geographic determination are not sufficient guides for judgment regarding national sentiment. This was particularly true in Alsace-Lorraine in 1870, when many believers in determination through language and race thought that language and race required the return of the provinces to Germany;[1] and it is true to-day in the case of Schleswig. It is a method subjective, not objective, too likely to be based upon inadequate generalization.

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[1] The Germans adduced common origin of races, similarity of language and customs, geographical configuration and historical rights to support their conquest. *Fusinato*, p. 1.

Further, even though the inadequate generalization may happen to reach the right result, there has been no proof that the result is right or desired. Inevitably there will be disaffection in the territory in question and in the State from which it is separated, or the State whose claim is not satisfied. The real problem is not only to ascertain the existence of a majority, but also to establish the incontrovertible fact of that majority in order to devitalize potential sources of agitation.

Again, the advantage to be acquired by the annexing State through enlisting that loyalty to the State which is the normal psychological result of participation in the processes of selection is another consideration and a strong one.[1]

That these advantages will accrue from an actual vote, if charges of fraud are not too serious, is shown by the Italian votes of 1860, '66 and '70, which effectually silenced the claims of Austria, the petty princes, the republicans and the Pope. It is shown by the votes of Savoy and Nice themselves, for whatever the pressure, it was obvious that it could not account for the overwhelming majority cast for cession. The result of the votes made the protests of Great Britain, Switzerland and the other Powers appear as weak as they were futile. It is significant, too, that a disaffected party has not survived in those territories or in Italy. Yet it may be asserted that in each case there were other factors which accounted for the permanence of the solution. This is undoubtedly true, but here is an instance where the cumulative force of the invariable condition of stability following the votes can not be ignored, and where, consequently, one can not fairly accuse the argument of being an example of *"post hoc, ergo propter hoc."*

Doubtless to be suited to the use of the twentieth century, the plebiscite must be modernized. The old methods of partisan administration would not satisfy the more sophisticated political standards of to-day. The plebiscite must be under international and obviously impartial auspices. The accumulated political experience of a century of representative government must be applied to commissions which should oversee and police the registration, and guarantee the secrecy of the ballot.

The real problems are, however, of a more general nature, and involve, among other questions, delimitation of the territory in which the vote shall be taken, electoral qualifications, and the drawing of the frontier line after the vote. It is obvious that a rigid plan to fit all cases is impossible. Special conditions necessitate special provisions. The conditions must be studied with infinite care, and the solutions must bear promise of justice to all parties, including both the majority and the minority. In cases of a mixed population and an indistinctly indicated frontier line, the international commission will be forced to follow the proposal made by La Tour d'Auvergne in the Conference of London and draw a line based on the vote, in the way that shall most nearly satisfy the obvious desires of the inhabitants of the region. Here is the proper place for the clause of option, a place first accorded it in the Treaty of Mulhausen of 1798. It is properly a measure to protect the dissatisfied minority.

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[1] Cf. *Fusinato,* p. 135.

The chief theoretical opposition to the doctrine comes now from the apprehension that, once admitted, small units, even so small as cities, may demand self-determination. Although this difficulty has so far been an academic one it has now become one of importance. No rule is, of course, possible. The question is one primarily of proportion, of geographic position and economic relation; in a word, it must be settled according to the specific case. No group, however small, should be without its day in court. The court should be an international commission to whose judgment the matter must be left. With the resources of customs zones and internationalization of rivers, ports and the like, the desires of the several parties in interest, even in the case of a single city, should be capable of being harmonized and the will of the majority satisfied.

The chief practical opposition to the doctrine comes at present from those who fear, and with reason, that application in various regions where the conqueror has bent every effort to denationalize the people and has resorted to restrictions on language, to deportation and to massacre, would sanction the former conquest. It is obviously necessary that such methods should fail of their object and that their results should be neutralized. To arrive at a just solution in such a case is not easy. There are, however, means of solution which suggest themselves. It might be well to let only those vote who are native-born, or who were domiciled in the region before the conquest, and even to let those children of emigrants or optants vote who will give pledge to live in the territory if the vote goes in their favor. Finally, by letting the women vote, not only would there be a more comprehensive expression of opinion but there would also be secured representation for the men who have been killed in war or have perished through deportation.

Solution of these problems is not easy, nor should one attempt it without full knowledge both of the special cases at issue and of the problems, failures and successes of the past.

## THE PLEBISCITES OF THE FRENCH REVOLUTION

### AVIGNON AND THE COMTAT VENAISSIN, 1791

In 1789 Avignon and the neighboring Comtat Venaissin were still a part of the patrimony of the Holy See, an alien dominion in the heart of France, an *enclave,* surrounded by the departments of Bouches-du-Rhône, Bases and Hautes Alpes, Drôme and Gard, and itself encircling, or nearly so, the French communes of Suze and Mondragon and the tiny principality of Orange. The Papacy had acquired the two bits of territory by somewhat dubious title in the thirteenth and fourteenth centuries. After Avignon had ceased to be the papal residence both it and the Venaissin had been left in the hands of a vice-legate, under whom the two territories were separately administered.

By 1789 the ninety-eight communes of the two territories contained over 130,000 inhabitants.[1] The people were French in race and language, and enjoyed the privilege of *regnicoles,* sharing freely in the holding of offices under the French government. To France the inconvenience of this situation was great, for the region was a refuge for fugitives from justice and a base for smugglers. History, too, had shown it to be of great strategical importance in case of invasion from Savoy or Lombardy. The Kings of France had always considered that as heirs to the Counts of Provence they had a claim to the territory. Before 1789 it had been occupied and annexed at various times during the quarrels with the Popes, but had always been restored, though the restoration had been accompanied by the statement that actual sovereignty lay with the crown and that the Pope held merely a mortgage. The method by which the papal title had been acquired enabled those opposing it to question its validity. The Venaissin had been taken in 1274 from Raymond of Toulouse by Philip the Hardy and given to Pope Gregory X in return for his aid against Raymond. Avignon had been sold to Clement VI in 1348 by Jeanne, Queen of Naples and Countess of Provence, in order, as the story runs, to gain absolution for the murder of her husband. It was further asserted that Jeanne was a minor at the time and that the property was entailed.

For many years there had been in Avignon a party for annexation to France. The ties had been strengthened by the several annexations to the kingdom under Louis XIV. The silk manufacturers whose output supplied the chief industry of Avignon saw their rivals of Lyons far outstripping them, thanks to the customs barriers. The tobacco growers resented being deprived of the French market.

On the breaking out of the revolution in France a similar one immediately engulfed the city of Avignon and spread from there to the Venaissin. Immediately three parties appeared, the *modérés* who wished to adopt the French Constitution but to continue under the sovereignty of the Pope, the

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[1] The Abbé Maury stated the figures for Avignon to be 30,000 and for the Comtat 100,000. *Archives parlementaires,* series 1, vol. 25, pp. 237 and 545. Menou gave the exact figures as 152,919 in his final report, *q. v.* Documents, *post,* p. 232.

In 1789 there were ninety churches, convents or religious establishments in Avignon alone. *Soullier,* vol. 1, p. 349, note 8.

*patriotes* who wished both the French Constitution and union with France, and the *aristocrates* who were against the constitution and for the sovereignty and unchanged administration of the Pope. To the *patriotes* belonged a large part of the professional class who desired political reform, the majority of the merchants, who wished economic advantages, and the Jacobin element. To the *aristocrates* were joined the very numerous and powerful clericals. Roughly speaking, of the ninety-eight communes, those of any size appear to have been for France, whereas the small communes of the upper Comtat and the rural districts, where there was great poverty, were for the Pope. The ensuing disturbances and civil wars were not wholly on political lines, however; excessive jealousy between the two chief towns, Avignon and Carpentras, and the complex local and personal rivalries confused the issues. Later a fourth party, for autonomy, developed, but was never of importance save in continuing disorder.

The first proposition made in the French Assembly for the union of the territory with France came on November 12, 1789, from the neighboring French departments. It was based wholly on the claims of France to the territory and on an elaborate indictment of the papal title. No mention was made of the wish of the inhabitants.[1] Although there was no discussion in the Assembly, this proposal of union caused a protest by the parishes of the Comtat to the French Assembly. This protest avowed the greatest admiration for the principles of the Revolution, but emphasized that among them was the principle of self-determination, and stated the undying loyalty of the people of the Comtat to the Pope.[2]

On June 10, 1790, the *aristocrates* and *patriotes* became involved in a hot armed conflict. The " patriotes " defeated their opponents and drove off the papal legate. After several insurrections the liberals of Avignon had secured from the vice-legate a municipal government on the French pattern, and an elective assembly. At the call of the municipal officials the district assemblies now met, declared the Pope deposed and Avignon an independent State, and then voted for union with France. At the same time the States General of the Venaissin, which had just adopted the French Constitution, reiterated its desire for the continuance of papal sovereignty.[3]

A delegation from Avignon presented the vote and petition for union to the Constituent Assembly at Paris on June 26. This petition and succeeding ones were referred by the Constituent Assembly to a Committee on Avignon to which were added later the Diplomatic Committee and the Committee on the Constitution.[4] The Committee reported on August 27 that the Pope's title, though faulty, could not reasonably be contested, that no transfer of sovereignty should be made without the consent of the people involved, and that the vote of union, taken during disturbances and in the absence of the losing party, should not be considered as legal.[1] Although there was a spirited opposition in the Assembly the report was accepted.

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[1] See Documents, *post*, p. 173.

[2] Documents, *post*, p. 175.

[3] Documents, *post*, pp. 178, 182.

[4] The original committee was composed of Mirabeau (the elder), Barnave, Tronchet,

Civil war now broke out with intense passion. The Pope, who maintained no force in the territory, asked the French Government to intervene. Debates on union once more occupied the Assembly, but in place of union, French troops were sent to protect French property and to restore law and order.[2] This force was of little avail and was withdrawn in the following January.

During this period of civil war, from December, 1790, to April, 1791, votes in favor of union were taken by many of the communal assemblies of the territory. On April 30, 1791, delegates carrying what purported to be the formal minutes of these communal votes presented themselves to the Assembly at Paris. The matter was referred to the Committee on Avignon which, after examining the records, reported in favor of union on the ground that fifty-nine communes had actually voted for union, that all but one of the forty others had indicated a corresponding desire, and that, moreover, the papal title was faulty.

There were three groups in the Assembly, those for union, whether the people of the territory wished it or not, the clericals who were absolutely against union, and the independent group who wished union but only if voted by the people of Avignon and the Comtat. The question of the freedom of the votes was at once raised from the floor. It was asserted that the evidence regarding them was insufficient. Robespierre and others defended the votes but the testimony of La Tour-Maubourg, the analysis of Clermont-Tonnerre and the arguments of various members of the Assembly that the votes were taken in the midst of civil war and under intimidation by the revolutionists convinced the Assembly that the expression of the popular will was neither sufficiently clear, formal nor free to be adequate and the ensuing vote resulted in 487 to 316 against annexation.[3] A similar fate met the draft decree introduced by the committee on the following day providing for the annexation of Avignon alone.[4]

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Charles de Lameth, De Meunier and Bouche. To these were added by decree of August 7, 1790, Pétion de Villeneuve, Cazales and Redon. *Archives parliamentaires,* series 1, vol. 32, p. 547.

[1] Cf. Documents, *post,* p. 185, for report by Tronchet.

[2] Cf. Documents, *post,* 186, for decree.

[3] Extracts from the report and debate are given in Documents, *post,* p. 188. The deputies from the departments touching Avignon voted against the union in about the same proportion as the other deputies.

[4] Cf. Documents, *post,* p. 207.

It was evident, however, to all parties that something must be done to curb the civil war whose violence was threatening the neighboring departments. Petitions for intervention to prevent further bloodshed poured in from the region. After interminable discussion the Assembly finally adopted a compromise measure and on May 25 voted to send three commissioners as mediators to do all in their power to bring about a cessation of hostilities as a necessary preliminary to taking any further decision regarding the rights of France in the country.[1]

Le Scène des Maisons, Verninac-Saint-Maur and the Abbé Mulot were appointed mediators. These made their way at once to Orange where they conferred with deputies of the *patriote* army of Vaucluse, of the two municipal bodies of Avignon and Carpentras, and of one of the two rival representative assemblies of the territory. A treaty of peace was drawn up, called the "Preliminaries of Orange," which provided that the two armies should be disbanded, order guaranteed by the mediators by means of French national guards and an electoral assembly held in a place not suspected of partisanship, where it should occupy itself with the decision as to the political state of the country.

The Preliminaries were ratified by the French Assembly on July 4. After comparative order had been restored, the mediators requested the president of the national assembly of the two states to convoke the active citizens of the communes for the election of deputies to an electoral assembly, where they should draw up a statement of the communal votes on the question of union with the French Republic or continuance under papal rule.

The various versions of the history of the voting in the communes and the conditions surrounding the votes may be gathered in detail from the reports of the mediators, the report of the Committees on Avignon, and the formal charges brought by Abbé Maury in the Assembly.[2] The election machinery, though of the crudest, merely reflects the customary lack of political sophistication of the times. Minorities had little or no protection. The electors or "active citizens" were all those men, not domestic servants, of the age of 25 or over, who paid taxes amounting to about thirty cents annually. These were summoned by town crier or by placards on the day before the meeting. The meeting took place in the chief church of the commune. After an address, the presiding officer, either the mayor or the eldest citizen, put the question in his own words. Those of the electors who wished for union with France were told to remain in the body of the church and those wishing to remain under the Pope to pass into the chapel, or *vice versa*. Only one or two of the communes seem to have had more formal proceedings or to have used a ballot. The communal assemblies met on different days during the period between July 7 and July 24.[1] At many of these assemblies the meeting was opened by one of the mediators with an address, setting forth the advantages of union. French troops were present, apparently at the desire of both parties and at the request of the communal authorities to prevent disturbance.

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[1] Cf. Documents, *post,* p. 211.

[2] Documents, *post,* pp. 239 *et seq.*

The vote of Avignon was taken by districts. Its sincerity is the special object of attack. The first meetings of the districts were adjourned by the mediators on account of the turbulence of the electors.[2] At the final meetings, two days later, it is said that only the adherents of union dared attend. Owing to the small numbers of electors present at the second meeting, it was announced that those citizens who had been absent should go to the Hôtel de Ville to put their signatures to the minute of the vote. No one dared refuse, say the opponents, who thus account, probably with reason, for the fact that at the end of three days the same act which had been drawn up in the almost deserted district assemblies was covered with signatures. The émigrés protested from their refuge across the river at Villeneuve that the vote had been taken while the active citizens were in exile.[3]

The delegates elected by each communal assembly met in a " national assembly " at Bédarrides, proclaimed the independent state of " Vaucluse " and voted for incorporation with France. Three delegates from this assembly accompanied the mediators to Paris, to carry the vote to the Constituent Assembly.

The Committee on Avignon, to which the question was again referred, in an elaborate report declared that on examination of the votes it was convinced of their authenticity and of the freedom under which they were cast. The report stated that of the 98 communes, 71 had assembled and voted, 52 voting for France, 19 for the Pope. Of the 27 others, 17 had voted for France in the earlier votes of April and May and, being busy with the harvest, refused to assemble again. The committee counted these as still for union. Ten had abstained entirely from voting. Whether these should be counted for France or for the Pope, the Committee reported that the majority of communes were clearly for union. As for the majority of the population of 152,919 the Committee estimated that the 52 communes voting for France contained 101,044. Even counting as now for the Pope all of the communes formerly voting for

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[1] One commune met as late as August 11.

[2] The story was widely credited that at the first assembly the *patriotes* opened the tombs in the church where the assembly was meeting and threatened to throw the papists in and that the mediators contented themselves with merely closing the tombs and did not allow the Municipality to prosecute. This story is answered by Le Scène des Maisons in his answer to Maury's charges. Documents, *post*, p. 260.

[3] Pierre Charpenne, *Les grands épisodes de la révolution dans Avignon et le Comtat*, vol. 1, p. 204, points out that this protest bears no signatures.

France, but later abstaining, as well as the 10 abstaining and the 19 actually voting for him, the inhabitants of the communes voting for the Pope numbered only 51,873.[1]

The vote, according to the report of the mediators, had been free and independent of all pressure, which was proved, they said, by the fact that some of the communes, even though French garrisons were present, had voted for papal sovereignty. The Committee, therefore, considering that the independence of the territory had been recognized by the Preliminaries of Orange and being of the opinion that union would be to the interest of France as well as that of Avignon and the Comtat and that the Powers would not object to a proceeding so founded on justice and reason, reported in favor of union, basing its final report on the communal vote of the territory. After a stormy debate the law of union was passed by the Assembly on September 14, 1791.

The vote of Avignon and the Comtat is a matter of controversy to this day. Local and religious feeling, never more intense, have served to cloud the whole affair with recriminations which later historians have perpetuated without adequate consideration as to whether the charges are really meant as attacks on the votes themselves or concern other and separate local issues. The complexity of the rivalries of the region, which makes investigation at this distance of time most hazardous, appears in the fact that one of the chief complaints against the mediators, namely, that they recognized the Army of Vaucluse and the electoral assembly of Cavaillon, came from the municipalities of Avignon and of Carpentras, both bodies having recently voted for union with France.

The clerical party made the accusation that the revolution in the Comtat and Avignon was incited from France, that the mediators had shown partiality towards the "Army of Vaucluse" which was a self-confessed band of brigands, whose leader gloried in the name of "Coupe-tête;" that they had shown unpardonable lack of judgment in having summoned the leaders of the band to a conference at Orange; that they had recognized the less legally constituted of the two rival assemblies, and that, by threats of withdrawal of the French forces, they had played upon the resulting fear of violence and thus forced the communes which were really papal in sentiment to vote for France. The French party in answer to this last pointed to the respectable number of communes which, although voting for the Pope, had incorporated in their minutes a vote of thanks to the mediators.[2]

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[1] The question of what percentage of the total population of Avignon and the Comtat were "active citizens" and what percentage of these voted can not be answered definitely. Menou in his report stated that the population of the city of Avignon was 24,000 and that there were four to five thousand active citizens. The proportion in the Venaissin must have been very much less than in Avignon owing to the great poverty of the rural districts.

[2] See the Minutes of the Commune of Séguret, Documents, *post,* p. 216. The minutes of the Commune of Caderousse, after reciting that the active citizens met to the number of 308

The clerical party was undoubtedly justified in some of its points. The mediators, though their work was done by intrigue rather than by force or threats, were certainly guilty of partiality.[1] The Minister of Justice, Duport, in a letter of August 14, although characterizing the attacks on the mediators as exaggerated, admitted that their own correspondence evinced too great a desire to effect the union and too little impartiality.[2] The Army of Vaucluse certainly committed excesses under their eyes, and in fact later became so unruly that it opposed union and wished autonomy as the best way of postponing the return of law. The mediators, however, appear to have favored the army for its Jacobinism rather than its pro-French sentiments, for they supported it against partisans of union also.

It is of some aid in unravelling the tangle of evidence to find that the solution of the question appears to have brought satisfaction, at least to the majority. The papal authorities admit that even the Comtadins who were most devoted to the Holy See had felt the need of union with France, and that the cleavage quickly ceased to be along the question of sovereignty and became one of class. In becoming French the Papal party became royalist. The line was still one of *aristocrate* and *patriote*.[3] The violence which broke out again soon after the union did not extend to the Comtat, but was limited to Avignon and appears to have been due to local hatreds of incredible intensity and to delay in sending French troops and instituting French authority.

By the Treaty of Tolentino, signed February 19, 1797, the Pope finally relinquished all right to the cities and territories of Avignon and the Comtat Venaissin in favor of the French Republic.[4] No mention is made in the treaty of the vote of the people of the territory.

in the parish church on July 24, continues, " They hasten to profit by the tranquillity promised by the return of peace, precious fruit of the wisdom and nobility of the French nation, and of the infinite care given by the mediators of France . . . and unanimously declare in the face of the universe in the manner ordered by the mayor, that their desire is to remain faithful to the Pope and the Holy See." Translation. For French text see *Charpenne*, vol. 1, p. 223. This is one of the communes which, Soullier says, the mediators were unable to master. Séguret, Grillon and Piolenc also gave thanks to the mediators in their formal minutes. The only minute containing any accusation against the mediators is that of the commune of Bollène which had voted for the Pope on July 7, 415 citizens being present. The minute recites that on August 10, Le Scène des Maisons appeared with troops and ordered them to vote for union or to remove the French arms which they had displayed for protection. The citizens voted to ask the aid of the Department of Drôme to induce the mediators to allow the arms to stay, and the vote for the Pope remained unchanged. *Charpenne*, vol. 1, p. 215, gives the text of this deliberation which is, however, unsigned.

[1] *Soullier*, vol. 1, p. 246.

[2] *Charpenne*, vol. 1, p. 237.

[3] " From now on we shall see only two parties, royalists and republicans. We were wholly French, and were arrived at a time when there was no more question of the court of Rome." Translated from *Soullier*, vol. 1, p. 73.

[4] F. de Martens, *Recueil de traités* (2nd ed.), vol. 5, p. 241.

## Savoy, 1792

At the outbreak of the Revolution in France the duchy of Savoy, which had once formed part of the empire of Charlemagne, was part of the kingdom of Sardinia, to which sovereignty it had passed through the intermediate hands to the Counts of Provence. The duchy held 58 communes, grouped in seven provinces. It had at five different times been part of the French kingdom. The people were French in language and sympathy, and the principles of the Revolution found ready converts among them. The Turin court, by offering asylum to the émigrés and persecuting the *patriotes* of Savoy, alienated whatever loyalty might have remained. When, on September 19, 1792, Montesquiou, General of the Army of the Midi, entered Savoy with twelve battalions, he was received with the utmost joy by the inhabitants. The Sardinian troops abandoned all the fortifications and retired before the French with scarcely a shot. On September 24 the gates of Chambéry were thrown open by the Municipality and the keys presented to the General, the Syndic greeting him with the words "We are a people not conquered but delivered."

On September 24 Montesquiou sent a glowing description of his reception to Servan, Minister of War.[1] In speaking of the welcome of the people he says that he has already heard suggestion of erecting Savoy into a department of the Republic and asks guidance as to how to use his great influence.

The question was debated in the Convention at Paris on the 28th. Gratified as the deputies were at the friendship for France which their armies were at that time finding not only in Savoy but also in the country about Mayence, the suggestion of annexing Savoy without consultation of the people was repudiated absolutely. Neither the arguments of Danton nor of Louvet de Couvrai urging the need of defraying the expenses of the war and of ensuring a free government to the newly delivered Savoyards availed. Discussion on the question was closed.

Meanwhile the three commissioners who had already been sent by the Convention to keep watch over Montesquiou's devotion to revolutionary principles, had decided, on consultation with the clubs at Chambéry, to put the question of union to a vote. On October 6 the commissioners issued a proclamation to the Savoyard people announcing to them that the imprescriptible sovereign rights of the people were restored to them, and that they should have a free choice as to their future status. Should the Savoyards choose to return to their former despots the way would be open, but their choice must be by the majority of the people in primary assemblies "which are the only ones where the people can exercise sovereignty."[1] The established authorities were continued in office until successors had been chosen by the people.

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[1] Documents, *post*, p. 270.

The communal elections were held on different days during the period before October 14. The procedure was similar to that of the assemblies of the Venaissin.[2] The suffrage was probably on the same basis as that in France, where the distinction between active and passive citizens had been abolished. The decree of August 11, 1792, had introduced universal suffrage for all those male citizens, save domestics and indigents, who were over twenty-one years of age and who had been domiciled in the commune for six months and had taken the civic oath.[3]

Although the simplicity of the methods used in the communal assemblies reflects that of the votes of Avignon, the historians make no charge of outside influence or of intimidation by either party. Montesquiou had shown his good faith by withdrawing his forces from Chambéry and taking up his headquarters to the north at Carouge, near Geneva.[4]

On October 21 the deputies elected in the communes met in the Cathedral of Chambéry. After their powers had been examined it was found that only three of the 658 communes of Savoy had failed to assemble. These were the three near the Italian border and still occupied by Sardinian troops. Of those assembling, 583 had voted for immediate union, 70 had given full powers to their deputies, one had voted for an independent republic and one had failed to indicate an opinion.[5] At the fourth session, on October 23, the deputies formed themselves into the "National Assembly of the Allobroges"[6] and proclaimed the deposition of the House of Savoy. After abolishing feudal rights and privileges, tithes, torture, and the salt and tobacco tax, and decreeing the return to the nation of the possessions of the clergy while reserving the right of usufruct to the ecclesiastical holders of titles, the Assembly cast a solemn vote of union with France.[7]

The four delegates elected to carry the vote of union to the French Assembly appeared on November 21, with a copy of the formal minute of the Assembly containing the vote by provinces.[8] The address was received with enthusiasm and referred to the Diplomatic Committee. On November 27, Grégoire presented the report of the committee and a draft decree of union. The reporter recites that it is plain that in Savoy as in France the people are sovereign. France has sworn no conquests, but has not sworn to repulse those peoples already united to it by common principles and interests who, by a free vote, beg for union. After an enumeration of the mutual benefits to be expected, the decree was submitted and adopted. The preamble, as in the decree of union of Avignon and the later decrees, bases the union on the vote of the people cast in primary assemblies.[1]

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[1] Documents, *post*, p. 278.

[2] See Documents, *post*, p. 281.

[3] J. B. Brissaud, *A History of French Public Law*, §§ 491–494. Translation by Garner.

[4] Saint-Genis, *Histoire de Savoie*, vol. 3, p. 142. France was at the time contemplating an expedition against Geneva.

[5] Cf. Address of the National Assembly of the Allobroges to the National Assembly of France. Documents, *post*, p. 289.

[6] The Allobroges were a Celtic tribe which crossed the Alps with Hannibal and settled in what is now Dauphiny and Savoy. Traces of their language of Rhaeto-Romansch are still found in the Italian valleys of the Swiss Engadine.

[7] *Saint-Genis*, vol. 3, p. 147, gives an account of the proceedings.

[8] Documents, *post*, p. 289.

The administrative changes were accomplished without disturbance. The people welcomed the French régime, the young men enrolled in great numbers in the *Légion allobroge* and formed battalions of volunteers.[2] The troubles which came later were a consequence of the development of the revolutionary legislation. The clergy, who had welcomed the French troops and had not raised a voice against the abolition of their privileges, were deeply resentful of the civic oath. The lively fear felt by the Savoyard peasant for the growing movement against religion, and his resentment against conscription were made use of by the émigrés. There gradually arose a clearly separatist royalist movement. This does not, however, appear to have been so much a movement back to Sardinia as away from the Revolution.

Sardinia renounced all rights in Savoy and Nice by the Treaty of Paris of May 15, 1796. The second Treaty of Paris of May 30, 1814, divided Savoy, giving part to France and part to Piedmont. This division aroused unanimous protest in the duchy. The frontier of 1790 was restored by the Treaty of November 20, 1815, the French Constitution was taken away, and the exodus of Savoyard émigrés to France began again. The sixth annexation had lasted twenty-three years.

## Nice, 1793

Nice, which had passed like a shuttle-cock back and forth from Sardinia to France since the Middle Ages, had been given, with its surrounding county, to Sardinia by the Treaty of Aix-la-Chapelle of 1748.

As a part of the military expedition into Savoy, General Anselme, a lieutenant of Montesquiou, with 3,000 men, crossed the frontier into Nice. The entrance into the city was made without a shot, the émigrés and the Sardinian troops fleeing as in Savoy. The Niçois, apparently as eager as the Savoyards for the termination of the Sardinian rule, received the French troops with rejoicing. Anselme, however, far from following Montesquiou's policy of preserving the already existing municipal bodies set up new ones of his own choosing. On October 24, Lasource, reporting for the Diplomatic Committee on the letter of Montesquiou referred to it by the Assembly,[1] objected that Anselme had appointed tribunals and administrative bodies — a right, according to the committee, not possessed by France and therefore incapable of transmission to her generals.

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[1] Documents, *post*, p. 295.

[2] J. Trésal, *L'annexion de la Savoie à la France*, p. xxxiii.

On November 4, there was read in the Convention an official letter signed by the provisional administrative bodies of the city and county of Nice, appointed by Anselme, stating that the citizens desired union with France.[2] The delegates carrying this were received with great enthusiasm, but a motion that the request of the citizens of Nice be acted on at once called forth a protest from Barère de Vieuzac who insisted on a free vote of the people in primary assemblies before any such action. The Convention thereupon closed the discussion, declaring that it could not deliberate upon the demand for union until the express wish of the people, freely uttered in primary assemblies, had been heard.[3]

The Niçois, accordingly, set about copying the procedure in Savoy and held elections for a " national convention." The primary assemblies were summoned by the mayor of the provisional government, in letters of convocation sent out on November 12, calling on the citizens to deliberate on the form of government suitable to a sovereign people for the securing of their liberty.[4]

The voting was by acclamation, as in Avignon and in Savoy. There were no votes against union from any assemblies as a whole, and few from individuals. There appears to have been a second convocation on December 16, in order to elect deputies to the " National Assembly."

On January 4, 1793, the delegates from the communes and the eight sectional assemblies of Nice, itself, constituted themselves as the " National Assembly of the Colons Marseillais." [5] After verification of powers and the taking of an oath of allegiance to the nation and to the principles of liberty and equality, a vote deposing the Sardinian King was passed, and two delegates were appointed, the same two who had already presented the address of the Municipality, to again present the wish of the people of Nice, now freely expressed in primary assemblies, for union with France.[6]

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[1] Cf. *supra,* p. 8.

[2] Documents, *post,* p. 285.

[3] Cf. Documents, *post,* p. 285.

[4] A note by the editors of the *Archives parlementaires,* series 1, vol. 56, p. 225, states that the summons was sent to only twenty communes, some having been inadvertently forgotten, some being still in the hands of Sardinia, but that the oversight was quickly repaired.

[5] Nice was founded some time before the Christian era, by the Phocaeans of Marseilles.

[6] Documents, *post,* p. 296.

The decree of union was delayed by the absorbing question of the fate of Louis XVI and was not passed by the Convention until January 31. The decree recites that the Convention accepts the vote of the sovereign people of Nice, freely expressed in primary assemblies, and incorporates the county in the French Republic.[1]

## The Belgian Communes, 1793

In November, 1792, the desire of the National Convention to strike at the Coalition, and especially at Austria, at the weakest point, led to the dispatch of the Armée du Nord under Dumouriez into the Austrian Netherlands. By the victory of Jemappes, on November 6, the whole of the southern part of the country was opened to the advancing French army.

Although the republican movement of 1789–90 had been short lived and Austrian rule had been quickly reestablished, hatred of the Austrians was strong and enthusiasm for revolutionary ideas still flourished. Dumouriez was welcomed with enthusiasm. Brussels hailed him as a liberator. Liège, the capital of the Walloon country, seemed intoxicated with joy.

The Convention, in order to prevent any accusation of wishing to effect a political invasion, had recalled its envoys to the Department du Nord, who wished to follow the army into Belgium. Both generals and politicians rejected all idea of territorial aggrandisement. Biron, Robespierre, Dumouriez, all were explicit as to the aim of the campaign.[2]

Like Montesquiou, Dumouriez, on entering Mons on November 8, had issued a proclamation calling on the people to assert their sovereignty and depose their despots, assuring them that the French Convention had no wish to interfere in the question of their future government. But the proclamation went further than that of Montesquiou. It insisted that, in order to treat with the French Republic, the existing authorities must be suspended and new administrations must be set up. These, to be sure, were to be freely chosen by popular election and the generals were instructed by Dumouriez that they carried liberty to the people and should not seek to influence them in the choice of the forms by which they wished to maintain it,[3] but Dumouriez had omitted to draw up provisions for the elections in detail and the principle of popular elections was differently applied in different places. In spite of the French agents,[4] however, the popular societies, and the exhortations made by Dumouriez in his addresses and proclamations, the elections for the popular assemblies went for the *statistes* or moderates who wished to restore the old constitution and the States General. Only in the province of Hainault and the cities of Brussels, Mons and Charleroi did the French party gain control, and there only, it was charged, by means of pressure and force.

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[1] Documents, *post*, p. 301.

[2] Chuquet, *Jemappes et la conquête de la Belgique*, p. 179, C. J. A. Borgnet, *Histoire des Belges à la fin du xviii$^{e}$ siècle*, vol. 2, p. 149. See particularly letter of Gensonné to Malou-Riga, *Chuquet*, p. 180.

[3] *Chuquet*, p. 181, *et seq.; Borgnet*, vol. 2, p. 70, *et seq.*

[4] Le Brun, the Minister of War, had, on Dumouriez' advice, appointed three French

It had become apparent from the behavior of the French agents and army as well as from the debates in the Convention that the character of the expedition was changing. The Convention was faced with the need for funds with which to carry on the war, and the wealth of the Belgians made an irresistible appeal, for the problem of how to support six hundred thousand troops in the campaign was a desperate one and served to weaken the scruples of many.[1] A further absorption of the *assignats* was imperative, and the hope that the Belgians would receive them voluntarily and at par had not been fulfilled. There arose a demand that the circulation should be forced. Dumouriez refused. The strength of the *statistes* in the elections gave rise to the argument that the Belgians must be saved from their lethargy and forced to be free. To reinforce these arguments the old one of the " natural limits " was resurrected. The Belgians were not slow to realize the trend. On December 4 a deputation representing the cities of Brussels, Mons and Tournai presented themselves to the Convention to thank the French nation for its aid and to beg that it would pledge itself never to sign a treaty not recognizing the independence of Belgium. They had been instructed to protest against the *assignats,* and to demand a pledge that there should be no effort towards union with France, but on the advice of Le Brun these protests went unuttered.

The fears of the Belgians were soon to be only too well justified by Cambon's decree of December 15.[2] This decree provided that, in the countries invaded by France, no one could vote or hold office who had not taken the oath of liberty and equality, and renounced in writing the privileges of which he had been possessed. All taxes were abolished, a measure crippling to the existing government. The decree further provided for two sets of agents to go into Belgium to assist in the establishment of " revolutionary power." A commission was to be sent to fraternize with the provisional administrative bodies which should be elected under the suffrage above described, and another group, called National Commissioners, were to advise with the generals and the provisional administrations as to the questions of

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agents, Bourdois, Metman and Chépy, to advise with Dumouriez and with the self-appointed *Comité revolutionnaire des Belges et Liégois.*

[1] See the letter of Le Brun to the national commissioners, January 31, 1793. *Chuquet,* p. 195; also letter of Cambon, *Borgnet,* vol. 2, p. 197.

[2] Documents, *post,* p. 302.

supplies for the armies. These provisional bodies were to resign their functions as soon as the people should have organized a free and popular government, but should they refuse the blessings of liberty and equality and recall their former princes, the decree further stated that the French nation would consider and treat them as an enemy.

The decree prejudged the union. It at once called forth protests from the friendly provisional body of Brussels, from the governments of Hainault, Namur, Louvain, Malines, Tournai, Brussels, Ypres and Ghent.[1] The only cities where the decree did not bring forth official protests were Liège, Mons and Charleroi, and even in Liège there was indignation. The protests were vain. The necessity for the circulation of the *assignats* had deafened the ears of the devotees of popular sovereignty. Moreover, it was at the time when the trial of Louis XVI was about to begin and any other subject was of minor importance to the Convention and to Paris.

Camus, Danton and Delacroix had been appointed on November 30 as commissioners to investigate a dispute between Servan and Dumouriez regarding questions of military supplies. On their arrival in the Belgian country they started clubs everywhere to prepare the way for a revolutionary triumph in the elections. Dumouriez, believing that a free Belgian republic would be of far greater protection to France than an unwilling annexation, was sincere in his announcements that he wished to free and not conquer the country. The storm raised by the decree alarmed him, and it was only after threats from Delacroix that he consented to proclaim it.[2]

It was obvious to the Belgian patriots that the only hope of independence lay in a national assembly, but there was no common centre in the country, nor was there sufficient unanimity to make a national cooperation easy, and the decree of December 15 had deprived the administrative bodies of all resources by abolishing taxes. Liège, far more democratic than the rest and also much more naturally sympathetic with France, was not so outraged at the decree nor was it anxious to join with the other more conservative Belgian communities under a common government. Provincial sentiment existed in most of the other cities also. The assemblies of Ghent and Ypres sent delegates to the Convention to beg for a national assembly. Their plea was supported by Dumouriez, but the revolutionary clubs of the Belgian cities, clubs largely composed of Frenchmen, sent their delegates to oppose the plan of an assembly and the Convention disregarded the Belgian plea. The only support came from Dumouriez, who saw in a national assembly the only means of averting the storm. To further a national assembly he conceived the plan of holding primary assemblies, one for each two hundred families, each to choose two electors, those from each province to meet at a fixed place to elect members of the provincial assembly and deputies to a Belgian National Convention.[1] The conservatives were to be excluded by the requirement of the oath of liberty and equality. Having ordered the elections, Dumouriez left for Paris and the commissioners failed to carry out his instructions. The only place where primary assemblies were held according to Dumouriez' plan was Brussels. From the detailed account given by Borgnet of the elections held by the twenty-one sections of Brussels it is evident that party jealousies were far too extreme to permit any sacrifice for a national good. Only one section took the oath prescribed by Dumouriez. The others substituted another of different tenor.[2] All of the assemblies voted for the reestablishment of the governmental system of 1790, a vote which led to despotic measures from the commissioners who accused the elections of having lacked formality and refused to allow others to be held.[3]

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[1] *Chuquet,* p. 201. Cf. Documents, *post,* p. 311, for the protests of Namur and Hainault. The protest of the Representative Assembly of Hainault was endorsed by a vote of 207 to 2. *Borgnet,* vol. 2, pp. 106–115, gives a detailed account of the sentiment in the various parts of the country.

[2] It was not posted in Brussels until January 18.

The masters of the policy in Belgium were the commissioners of the Convention: Camus, Gossouin, Danton, Delacroix, Treihard, Merlin de Douai, and Robert.[4] These commissioners were to pass provisionally on all questions as to procedure and to " fraternize " with the provisional administrations. To the military commanders was left decision as to time, place and manner of assembling and the issuing of the proclamations necessary to the carrying out of the decrees.

Under the commissioners were the thirty national commissioners who had the duty of directing and giving tutelary supervision to the provisional administrations, to the circulation of the *assignats* and to all requisitions for military purposes. Misguided as was their policy, they appear to have been well-intentioned but stupid enthusiasts. Working with these officials were the clubs in Brussels, Malines, Louvain and Antwerp, where they had been holding meetings and voting for union for a month past, but these clubs were far from speaking for the country. The *Société populaire* of Brussels in February numbered twelve Belgians, the rest of its members being mostly French.[5] In support of the decree of December 15 the club of Brussels had ordered the formation of a legion of *sans-culottes belges et liégeois,* and had started a reign of terror.

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[1] *Borgnet,* vol. 2, p. 119.

[2] " Nous jurons de maintenir la religion catholique, la liberté et l'égalité conformément à nos lois, et de reconnaître la souveraineté du peuple brabançon," from the formal minutes of the primary assemblies of Brussels, *ibid.,* vol. 2, p. 121.

[3] *Ibid.,* vol. 2, p. 123.

[4] Chaussard, one of the national commissioners to Brussels, quoted by *Chuquet,* p. 229, says they were " a kind of ambulatory dictation, invested with unlimited power, spreading religious terror before them, and strong in a reputation for talent and eloquence."

[5] *Chuquet,* p. 215.

The first vote of union with France came from the communes of the Pays de Liège, the heart of the Walloon country. Liège held a position entirely distinct from that of the rest of the Belgian cities. It had had no part in the confederated republic of 1789. Scornful of the conservative spirit and subservience to the church in the rest of Belgium, Liège wished union with France to escape a restoration of the Prince Bishop.[1] In race and political structure it had appeared to Dumouriez on his entrance as a second French nation, with the same republican ideas and energy. Confident of its support he had allowed the old municipal council, elected in 1790, to be restored, and to call a National Convention of Liégeois on a basis of universal suffrage.

On December 23, 1792, the communes of the districts of Franchimont[2] and Stavello in the Pays de Liège met in primary assemblies, declared the right of popular sovereignty, abolished feudal rights and voted to form an indissoluble union with the French Republic. Three days later the members of the *Congrès franchimontois* of 1790, with the other deputies, agreed to this vote in the name of the greater part of the country, reserving to their constituents the right of ratification. On January 7, the deputies of the greater part of the district met again to ratify the vote. This was all done with the approval of the commissioners. The primary assemblies of the commune of Liège were officially summoned on January 16 by the municipal council and met in sixty-one sections on January 20. The vote was not counted until the 28th. Out of 9,700 voting, 9,660 had voted for union and only forty against. In the majority of the sections the vote was by " secret ballot," so-called, in others it was by acclamation " preferring the more enthusiastic method." But whereas the vote of Franchimont had been unaccompanied by any reservations, that of Liège carried stipulations regarding the national debt, indemnities and the *assignats.*[3] The efforts of Danton to get the whole country incorporated when only the city had voted were unsuccessful. The Convention was still anxious to avoid all appearance of conquest, and refused to decree the union before the rest of the Pays de Liège had been heard from.

The Convention was becoming impatient at the delay of Dumouriez in convoking the primary assemblies in the other Belgian communes. Accordingly, on January 31 another decree was passed, supplementing that of December 15th and providing for its immediate execution, within fifteen days, under penalty of the Belgian people being considered enemies of the Republic.[1] The limit appears to have been somewhat elastic for on February 19th the commissioners issued to the Belgian people a proclamation composed of a preposterous mixture of biblical citations and exhortations urging a vote for union with the French Republic at the approaching elections.[2]

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[1] *Chuquet,* p. 223.

[2] *Chuquet,* p. 222, quotes the following from Merlin de Douai, " Ce que la France a été pour le reste de l'Europe, le pays de Liège l'a été pour la Belgique, et le pays de Franchimont pour celui de Liège."

[3] *Borgnet,* vol. 2, pp. 196, 198, 200. Letter of Wattel, president of the municipality, to General Miranda. *Archives parlementaires,* series 1, vol. 59.

That the commissioners were relying on force rather than on the desire of the inhabitants to win a vote for union is undeniable. The evidence is overwhelming. Borgnet quotes Chaussard to the effect that the National Commissioners had met at Brussels on February 3 to decide the question "Shall Belgium be united to France?" The vote, with one abstention, was unanimously in favor of the union, and the discussion turned on the procedure to be employed. The ballot was rejected for the *viva voce* vote which "had the advantage of making known the individuals, of incalculable value under the circumstances." [3]

The commissioners were confirmed in their distrust of a free vote by the publication of the vote of the Pays de Liège on February 12. The country had, to be sure, given 19,401 votes for union out of 21,519 voting, but 14,103 of these votes were for a union with conditions as to the *assignats*.[4] No pressure had been applied, and the vote was free,— the only free one in Belgium. But the conditions made it distasteful to the Convention, which delayed the final vote of annexation, hoping for another and unreserved vote from Liège. This was delayed too long and could not be managed before the French evacuation. Liège was annexed on May 4 on the basis of the first vote.

The primary assemblies of Mons met on February 11, of Ghent on the 22d, and of Brussels the 25th. This system of voting in different places on different days enabled the *sans-culottes* to carry their methods of terror from one city to the next. Everywhere force was displayed "to prevent disorder." [5] The reinforcements requested by the commissioners did not arrive, so the troops as well as the *sans-culottes* were moved from one town to another. The electoral machinery appears to have been quite as crude as that of Avignon and Savoy, yet whereas some semblance of order was observed in the previous assemblies, in those of the Belgian communes no one asserts that there was the least suggestion of it.

[1] Documents, *post*, p. 318.

[2] Cf. Documents, *post*, p. 318.

[3] *Borgnet*, vol. 2, p. 181, quotation from Chaussard, *Mémoires historiques et politiques*, p. 437.

[4] *Borgnet*, p. 200, says 80,000 citizens abstained.

[5] *Chuquet*, p. 244.

The circumstances appear to have been the same throughout Belgium. Only a small number of citizens voted. The churches where the voting took place were surrounded or filled with soldiers. After an address by the French commissioners, often not understood, and a demonstration by the clubs, the vote was taken at once and by acclamation, or by passing to right or left, and a register opened for protests which no one dared to make. In the small towns where the commissioners lacked the support of the troops there appears to have been a lively resistance.[1]

Had the Convention desired to question the validity of the votes it had had ample warning and sufficient evidence in the formal minutes themselves to warrant it. But such was the eagerness to consummate the union, that the testimony of the French agents was eagerly credited, and no investigation was attempted. As fast as the formal minutes were laid before the Assembly, it proceeded to annexation, in most cases on the very day or the day after, at times dispensing even with any report of the Diplomatic Committee.

Owing to the military reverses of the French arms these unions were not carried out until 1795 when by a decree of October 1, the decrees of March 2nd and 4th, and of May 8, 1793, were put in execution and the votes cast in 1795 by the communes of Ypres, Grammont, and other parts of Flanders, of Brabant and of the former Austrian part of Gueldres, not included in the former decrees, were accepted.[2]

## The Rhine Valley, 1793

While the Belgian communes were being forced into a reluctant union, a similar activity was going on in the region to the south. On February 14 the Convention in one decree proclaimed the annexation, based on the popular vote, of Monaco and of numerous small communes along the edge of the departments of the Moselle and Bas-Rhin. These were chiefly in the Saar valley, in the duchy of Deux Ponts, in the bailiwick of Harschkischen, belonging to the Princes of Nassau, as well as other communes belonging to other petty princes.[3] These votes had occurred after the region had been invaded and they were held under the conditions laid down by the decree of December 15. On March 14, Bergzabern and thirty-one neighboring communes were annexed.[4] The most important annexation was, however, that of the " Rheno-Germanic " people.

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[1] *Chuquet,* p. 249, *et seq.* See Formal Minutes of the Assemblies of Brussels and Ghent, Documents, *post,* pp. 322 *et seq.*

[2] Martens, *Recueil des traités* (2d ed.), vol. 5, p. 186.

[3] Documents, *post,* p. 316.

[4] Cf. Documents, *post,* p. 343, *note.* On March 20 the communes of Biding, Denting and the German part of Lelling-Empire were also annexed.

The courts of the petty princes of the region between Bingen and Landau were partisans of the old régime in France, but the revolutionary principles had been joyfully received by the bourgeoisie. The lodges of Freemasons had long been working for the same ends and at once helped with the propaganda.[1] Custine's advance was unopposed. By October 20, 1792, the gates of Worms, Speier and Mayence had been opened to him from within. In Mayence and the regions near Alsace there was a particularly strong French movement composed of the intellectuals, the supporters of the Revolution, and the merchants tired of backward conditions and corrupt rule.[2] So long as Custine refrained from autocratic measures the expedition met with no opposition. In the region occupied by the army, belonging to the Archbishop of Mayence, Custine at once assisted in the formation of clubs similar to those active in Belgium, and set up revolutionary governments without the formality of a vote. The club at Mayence played a great part in the later events.[3]

The general administration named by Custine numbered ten members, six for Mayence, three for Worms and one for Speier. The Mayençais, fearful of the Prussian advance, received the proposal for union with France with coolness. The general administration determined to push the vote and to create a department of Bouches-du-Main. It was feared that the cities would be unfavorable, but they counted on the peasants to control the towns. Commissions were sent to all the towns between Bingen and Landau to assemble all the inhabitants over twenty-one, except domestic servants, to read to them extracts from the constitution and to collect in a formal minute the names of all wishing the constitution. The minute stated that the electors desired to form one family with the French.[4]

Mayence voted on December 17 and 18, but few signatures were secured. The citizens had been summoned by corporations. The merchants asked for time, the tailors and cordonniers wished to be neutral. Although some outlying localities voted for France the vote came to nothing. Custine refused to give importance to the vote.

To carry out the decree of December 15, which the Convention had just adopted, Haussmann, Reubell, Merlin, Simon and Grégoire were sent as commissioners. They arrived in Mayence on January 31, 1793, and at once acted as if in a conquered country, making requisitions without payment. It was determined to force the circulation of the *assignats,* and for this annexation was necessary. The decree of January 31 put the decree of December 15 into immediate execution.[1]

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[1] H. M. Stephens, *History of the French Revolution,* vol. 2, p. 193, says, that it was on account of the repeated invitations to General Custine, himself a freemason, from the lodges of Western Germany, that he had made his bold advance.

[2] Chuquet, *Mayence,* p. 40.

[3] *Ibid.,* p. 46. The club of Mayence had five hundred members. Besides Böhmer and Stamm, adherents of Custine, there were seven professors, the librarian of the University, Georges Forster, and his two assistants, two school teachers, eleven French teachers of languages, three French residents of Mayence, eleven lawyers, officials of all kinds, clergy who had taken the oath, young men, students, literary men, merchants, craftsmen, propagandists brought by Custine and others.

[4] *Ibid.,* pp. 56 and 58. He gives the list as Kastel, Nackenheim, Wöllstein, Nieder-Olm and Klein Winternheim.

In Belgium fear of the strong national feeling had caused the French to oppose a national convention. No such feeling existed in the Rhenish provinces, however, and a convention was determined on. The popular elections were fixed for Sunday, February 24, and the convocation of the National Rhenish Convention for March 10. Each commune was to elect at least one deputy, those of Worms and Speier to elect two each, and Mayence to elect six by districts.[2] Each deputy was to be uninstructed and left with full power to choose a government " suited to liberty and equality."

The commissioners were determined that the vote should be one for union. Not only did they openly urge it, but they drew up a list of names of proved patriots whose choice was to be imposed on the electors.[3] The clubs instituted a reign of terror and many fled from their menace. The commissioners and other agents of Custine, by their oppressive and annoying attitude completed the alienation of popular sympathy.[4]

On February 18, Custine issued a decree convoking the peoples of the countries between Landau, the Moselle, and the Rhine, in primary assemblies. The nobles, the ecclesiastics, and the former officials were to declare in writing that they solemnly renounced their princes and their privileges and that they would be forever faithful to the principles of liberty and equality. Whoever neglected or refused to make this declaration before the municipal body in his place of residence would be regarded as an enemy of the French Republic and at once expelled from the country.

The electoral provisions were drawn up by Forster who had replaced Grégoire on the commission. The assemblies were to meet on a Sunday, at 8 in the morning after mass. Each assembly was first to name a president, three tellers and a secretary. The *bureau* constituted, they should then elect the mayor, the communal attorney, the municipal officers and lastly the deputy to represent them at the national convention at Mayence. The electors were to write the names of their candidates on a ballot, or, if illiterate, could tell the name to the tellers in the presence of a friend who could read. Each elector must be twenty-one and domiciled for at least twelve months past in the region between Landau and the Moselle.

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[1] See *supra,* p. 46.

[2] Chuquet, *Mayence,* p. 92.

[3] *Ibid.*

[4] *Ibid.,* p. 81.

Opposition to this dictation of new administrative forms was at once obvious. Attacks came from the clergy, the courts, and the corporations against thus forcing people to be free in forms prescribed.[1] Fearful of German vengeance and the loss of trade the citizens objected to the oath of adherence to revolutionary principles. Simon and Grégoire weakened as to the oath, but were persuaded by the other commissioners, Haussmann, Merlin, and Reubell who arrived at the moment. The *sans-culottes* were now in the saddle. The commissioners openly threatened force against those protesting, imprisoned or expelled the old officeholders and ecclesiastics, and refused all appeal to the Convention at Paris. The leaders of the opposition were deported across the Rhine.[2]

The vote of Mayence was taken in six churches. It lasted from the morning of the 24th to the evening of the 26th. About 300 electors presented themselves, and even the threats of the commissioners were unable to increase the number to over 345. The occasion called forth no enthusiasm. The only sound in the streets was that of the cavalry patrols.

In only one commune, that of Nackenheim, was the vote spontaneous.[3] In most of the communes the priests had forbidden the proclamation to be read and told the peasants that the Revolution was a menace to the Church and the sacraments. Fear of a return of their former rulers also inhibited any desire to identify themselves with the French. The commissioners made use of armed escorts avowedly to aid the vote for France.[4] Many communes absolutely refused to take the oath. Mayence, Bingen, Worms and Speier protested against it. The leaders of the opposition were deported, however, and the assemblies held. At the first assembly held at Worms only 20 attended. A second assembly was held between March 7 and 11, when 250 electors were present.[5] The vote of Speier was held on March 8, 9 and 10. In the two districts 342 electors presented themselves.

The deputies thus elected were of course all friends of union with France as the commissioners had taken care they should be. They did not represent the whole of the conquered country for the communes of the Palatinate had obstinately refused to vote.

The meeting of the convention was postponed for a week. It met on the 17th and formed the *Convention nationale des Allemands libres.* Half were peasants, half intellectuals. Having gone through the necessary formalities, on March 18 they opened the discussion regarding the destiny of the country. A decree was at once adopted, declaring the country between Landau and Bingen free from all political ties with the Emperor and Empire of Germany and from allegiance to their respective petty rulers, and proclaiming it to be an independent state, indivisible and founded on the principles of liberty and equality.[1] The convention having determined that it would come to no decision on any important measure without having first examined it in three successive sessions, the decree of union with France was postponed to the 21st, when it was voted on the motion of Forster.

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[1] Chuquet, *Mayence,* p. 97.

[2] See the Report of the Commissioners, Documents, *post,* p. 349.

[3] *Chuquet,* pp. 98, 100 and 101.

[4] *Ibid.,* p. 104. Chuquet quotes Forster to this effect.

[5] *Ibid.,* p. 108.

On March 30, Commissioner Haussmann reported to the Convention of France on the work of himself and his colleagues.[2] He incorporated an account of the deportations of the bailiffs, priests and nobles who were attempting to frustrate them. In the debate Cambon spoke of rumors of misconduct by the commissioners, which were rife in the Republic, and said that their report refuted these, but that it would be well that a more detailed report should be submitted in order that Europe might see for itself. On the assertion of Haussmann that he had not the necessary material at hand this suggestion was dropped and after the deputies of the National Rheno-Germanic Convention had delivered their address, the French Convention at once, without debate, adopted a decree to the effect that, in view of the decrees of the National Rheno-Germanic Convention for union with France, the communes enumerated were made an integral part of the Republic.

## THE REPUBLICS OF MULHAUSEN AND GENEVA, 1798

Mulhausen and the adjacent territory had for many years formed a self-governing state, at times in close alliance with or incorporated in the Swiss Confederation. The government of this community of 6,000 inhabitants, which included the communes of Ylzach and Modenheim, was composed of a General Council and a Committee of Forty. Its commercial relations with France had been small but constant and its hatred of the Germanic Empire intensified its French sympathies. To protect itself from the Empire, it had, in 1777, concluded a defensive military alliance with both France and Switzerland.

In September 1797 the French Republic declared Mulhausen to be foreign territory. This resulted in an appalling situation for the little state. All imports of food from France must pay heavy export duties and there was already great scarcity through failure of the crops. All exports to France must pay a heavy import duty and France was their best customer. The situation was intolerable. The state officials decided that the only solution was union with France.

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[1] Chuquet gives this decree in full, *Mayence*, p. 120.

[2] Documents, *post*, p. 343.

When the news of this desire reached Paris, the Directory, on January 1, delegated Citizen Jean-Ulric Metzger, a member of the central administration of the department of the Upper Rhine, as commissioner to the Republic of Mulhausen, to confer with the magistrates and citizens as to conditions and stipulations of union, to receive their vote, and to draw up a treaty of union. On January 3, however, before the arrival of Metzger, the Burgomasters and Council had voted for union by a vote of 97 to 3, on condition of exemption from conscription, then newly established, from requisitions, and from the general obligation of billeting troops until after the next general peace. On the next day, this vote was confirmed by the general assembly of burgesses meeting in the Church of Saint-Étienne. At this meeting 591 voted for union and 15 against it. This vote was communicated to Metzger and a new assembly of citizens named deputies to treat with him regarding the details of the union.

The treaty of union of the Republic of Mulhausen with the French Republic was signed on January 28.[1] By it the vote of the citizens of Mulhausen and the other communes was accepted, with the conditions stipulated, and contains a clause of option providing the period of a year, during which time the citizens of the territory were declared to be " French-born." Article 3 those wishing to quit the territory might remove their possessions, and a further period of three years in which to sell their property and liquidate their debts.

On March 10 the formal ceremony of annexation took place in Mulhausen, solemnized by the declaration that henceforth " the Republic of Mulhausen reposes on the bosom of the French Republic." There it remained until the passing of Alsace to Germany in 1871.

By the union of Savoy with France in 1792, the Republic of Geneva became an *enclave,* surrounded by French departments which at once eagerly desired its incorporation in the republic. There was also a group in Paris working for this union, in whose cause Desportes, the French minister resident at Geneva, was an active agent.

In 1797 the economic measures which had brought such distress to Mulhausen produced a corresponding result in Geneva, and other efforts were exerted by the French to bring home to the Genevois the desirability of union. There was trouble over contraband and a newspaper, *l'Echo des Alpes* was instituted at Carouge to further the cause of union. During the winter of black misery the propaganda resounded, the governing officers of the republic remaining unsuspicious of the plans of the French Directory. When, in March, Mulhausen ratified the treaty of union, word came from Paris to Desportes that the annexation which he was so diligently preparing would be approved on condition that he should succeed in causing a request for it to come from the people of Geneva themselves.[1]

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[1] Documents, *post,* p. 363.

Hazarding an audacious bluff, Desportes called in the officials of the government and announced to them that the union of their country with that of the French Republic had been decided on at Paris, and that all resistance would be useless and dangerous, as the French troops which were quartered in Switzerland had orders not to leave without completing this matter. This was communicated to the Administrative and Legislative Council, with the further proposal of Desportes that they appoint a special commission to which the sovereign powers of the General Council of Citizens should be delegated. This commission was appointed accordingly on March 19. Desportes then announced to Talleyrand that the commission would ask of the Directory the union of Geneva and its territory to the French Republic, with the stipulation that its religious and commercial institutions should be conserved, and in return Desportes was provided with full powers to consult with the people and officials of the Genevese Republic regarding all those matters concerning the union and to receive their votes.[2]

The powers of the special commission on which Desportes was relying had expired before the treaty could be negotiated. On April 15, the General Council was convoked to renew them. The meeting took place in the Church of Saint-Pierre which was surrounded with a French guard of 1,600 foot and horse, with artillery, which had been requisitioned by Desportes. Under the menace of their bayonets, so the Genevois say, the citizens renewed the powers of the special commission and the commission voted most unwillingly for the treaty which terminated the existence of the Republic of Geneva.

By the strategy of Desportes, the condition of a request from Geneva had been fulfilled. It was an easy matter to make France and Europe believe that the Genevois had voted for the union voluntarily, eagerly, and by a unanimous plebiscite. This was in fact the story as published in the *Echo des Alpes*.[3]

The treaty of union is similar to that of Mulhausen. By it France accepts the vote of the people of Geneva, giving the privilege of option to those desiring to leave the country. The clauses which differ are those permanently excluding by name three citizens of Geneva who had opposed the French efforts, and those protecting the precious metals used in the Geneva crafts and giving exceptional favor to the manufacture of chintz. The principal advantage offered to Geneva, as to Mulhausen, was the free disposal of the communal property.

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[1] Société d'Histoire et d'Archéologie de Genève, *Mémoires et documents publiés,* series 4, vol. 4, p. 178.

[2] Documents, *post,* p. 367.

[3] "Le 26 germinal an VI de la République française, le peuple genevois réuni en Conseil général a vôté à l'unanimité, sa réunion à la République française," *Mémoires et documents,* p. 180, quoted from *l'Echo des Alpes.*

## THE PERIOD OF 1848–1870

### The Italian Plebiscites of 1848

In 1848 the spontaneous wave of nationalism and democracy, which began with the February revolution in Paris and swept rapidly over Europe, gave to the subject peoples of Italy not only the inspiration for another trial for freedom but the method of securing it. The founding of the Kingdom of Italy on the voluntary wish of the people of each province, expressed by a popular vote by universal manhood suffrage, dates from this year. Once adopted, the method was followed undeviatingly. From the first uprising in 1848 in Lombardy until the unification of Italy, in its present form, was completed by the annexation of Rome in 1870, the statesmen working for united Italy never for a moment based the union on any other title than that of self-determination, nor did they at any time rest content with the mere assertion of the popular will for union, however obvious that will may have been, but in each case held the plebiscite to be an essential part of the title. Lombardy, Venetia, Modena, and Parma, in 1848; Tuscany, Emilia, Sicily, Naples, the Marches, and Umbria in 1860; Venetia, again, in 1866; Rome in 1870; each in turn was declared by Parliament, with a slightly different phraseology, to be an integral part of the Kingdom " in view of the result of the universal vote of the people of the province for union with the Constitutional Kingdom of Victor Emanuel II and his successors."

The revolt in 1848 of the northern provinces against Austria began with the " Five Days of Milan," on March 18. On March 20 the municipality of Milan assumed authority and instituted a provisional government, which, on April 8, was extended to the whole of Lombardy. On March 23 Carlo Alberto, King of Sardinia,[1] assumed the leadership of the revolt and declared war on Austria. The municipalities of Parma, Modena, and Reggio at once assumed power, as had already those of Venice and the cities of Venetia, and, except for Venice itself, set up provisional governments similar to that of Milan.

The question of the political destiny of these provinces had already caused a sharp alignment of parties, especially in Lombardy and Venetia. There were two important parties and several minor ones. The radicals, the party of " Young Italy " under Mazzini, wanted a united Italy under a republican form of government and had made a beginning by declaring a Republic in

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[1] Throughout this study of the Italian plebiscites the terms Sardinia, Savoy and Piedmont will be used interchangeably to denote the Kingdom of Sardinia whose reigning family was that of Savoy and whose capital was at Turin in the province of Piedmont. The kingdom of Sardinia was erected in 1718 when the Dukes of Savoy were compelled to accept Sardinia in exchange for Sicily.

Venice. The conservatives were in two parties, one party wishing to form a part of a united kingdom of Northern Italy under the constitutional monarchy of the House of Savoy, the other, the clerical conservatives, advocating union in a federation of independent States, under the presidency of the Pope. In some of the provinces there was a certain desire for autonomy. For the most part, these parties found their support in the cities; the country people appear to have been comparatively indifferent both to the struggle against Austria and to the question of the political future.

All parties had united to free Lombardy and Venetia from foreign rule on the agreement that the question of the political status should be postponed until after the war. Immediately upon its institution the provisional government of Milan had promised that the question should be postponed until all Italian territory should be free and should then be settled by a free popular vote.[1] This promise of a free vote was repeated by Carlo Alberto on March 31. On the same day, word was sent from the King to the Milan government that recognition had been accorded it purely on its *de facto* standing and that as the question of the future should be settled by the people themselves, the King was most desirous that a representative assembly for all the insurgent provinces should be elected at once and on a very broad electoral basis, "in order that the decision may be really regarded as a most sincere expression of the common will."[2]

The pledge of delay had been made to please the republicans who hoped by this means to secure a republic which should include all of upper Italy. The party for union with Sardinia was, however, gaining in strength through the prestige of Carlo Alberto who, of all the princes of Italy, had granted a liberal constitution, and who had made himself the champion of the Italian cause. There was also the dire need for greater military effectiveness which could only be secured by combination. To end the uncertainty, the central provisional government of Lombardy, on April 8, appointed a commission to investigate the best method of convening the primary assemblies in order to obtain a representative assembly by popular vote and with the least possible delay. As it was hoped that the resulting electoral arrangements could be used as a formula by the other states as well, if not for a joint constituent assembly, delegates were invited from the cities of Venetia, Parma, Modena, Reggio, and Piacenza, to join in the deliberations. The sessions of the commission lasted from April 11–28. Its report was in favor of a constituent assembly of delegates elected by the communes by universal manhood suffrage of all over twenty-one who had not been under judicial sentence.[3]

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[1] See Documents, *post,* p. 371.

[2] See Proclamation and Confidential Communication. Documents, *post,* pp. 371 and 373.

[3] The deliberations of the commission and the electoral law proposed by it are given in *Le assemblee del risorgimento,* vol. 1, pp. 133–196.

The proposition of an assembly, while having the sanction of Carlo Alberto,[1] involved a greater delay than his partisans in Lombardy could tolerate. Petitions begging for an immediate popular vote were circulated. The citizens of Piacenza had already, on April 8, opened registers for a vote on the question of union and the cities of the Venetian mainland were begging Milan's aid in bringing pressure on the Venetian republic to vote for union. This impatience was reflected in Lombardy. It was argued that delay was inexpedient from a military viewpoint and that an assembly might enter into conflict with the Subalpine Parliament. The financial embarrassment of the provisional government and its failure to supply the military cooperation that the people wanted undoubtedly increased the impatience at delay, as endangering the cause against Austria. The warmth of the discussion and the pressure of the party for union finally persuaded the Lombard government to anticipate the holding of an assembly by taking a plebiscite on the question of whether there should be an immediate union with Sardinia or a delay of the decision.

The decree fixing the details of the election was issued on May 12.[2] According to this decree, the electorate was to be composed of all male citizens over twenty-one, whether literate or not. Registers were opened in each commune from the date of the proclamation of the decree until May 29. In these the voters, in the presence of the parish priest, assisted by two election officials, were to indicate their choice of the two alternatives. Illiterates might make their mark. The soldiers with the army in the field were to vote at the headquarters of their corps, in the presence of their superior officers.

The Sardinian constitution of 1848 had established not manhood suffrage, but a suffrage based on property, business or professional standing. This was displeasing to the liberals of Lombardy. The vote for union accordingly contained a stipulation that a constituent assembly for the whole Sardinian kingdom, including the states adhering to it, should be convoked by universal suffrage, to establish a new constitution for the monarchy.

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[1] Carlo Alberto was anxious to postpone the discussion of the future as he feared the diplomatic complications which would arise from fusion, and, on the other hand, was anxious to prevent a republic.

[2] Documents, *post*, p. 376. The idea of popular consultation to settle the question appears to have been proposed from various quarters. Viscount Ponsonby, writing from Vienna to Palmerston on May 12, 1848, transmits a draft of a proposition for a vote of the citizens of the Lombard-Venetian Kingdom as to whether they prefer to enter the projected Italian Confederation under the suzerainty of Austria, or whether they prefer absolute independence, some recompense to be made to Austria for the sacrifice of her rights. *British Parliamentary Papers,* Affairs of Italy, 1849, vol. 57 [1108], p. 444. The text of the proposal is in French. The name of the author is omitted from the dispatch, and one would feel safe in asserting that he was not an Austrian were it not that there is a statement on good authority that in June, 1848, the Austrian government presented to Lamartine, the head of the French executive, a project of mediation which consisted in leaving to Lombardy and the duchies of Parma and Modena full power to dispose of their own destinies, Venetia to remain a part of the Austrian kingdom. Luigi Chiala, *Lettere edite ed inedite di Camillo Cavour,* vol. 4, p. 251. The choice of method was, however, apparently spontaneous with the insurgent governments themselves, with the approval of Carlo Alberto.

Except for a popular demonstration which occurred on May 27, to demand the safeguarding of the freedom of the press, the right of association, and a national guard, and a reiteration of the stipulation for universal suffrage in the elections for the constituent assembly, all of which demands were agreed to by the government, the signing of the lists appears to have proceeded without disturbance.[1] The result was an overwhelming defeat of the party of delay, and a corresponding victory for the Sardinian union. Out of the 661,226 qualified voters,[2] 561,002 had voted for immediate union and only 681 for delay.[3]

The proportion of those voting to the number qualified is amazingly high. The overwhelming majority may be accounted for in part by the fact that the republicans were divided and irresolute, many of their leaders being away at the war and the mass hesitating to oppose any movement for unity. Then, too, the prestige of Savoy and the influence of the fusionists had increased enormously on the news of the victories of Goito and Peschiera.

Before the lists were closed the republicans had brought charges of unfair action. On May 21 there appeared in the official newspaper of Milan, *Il 22 Marzo,* a letter signed by Mazzini and some twenty others, representing societies and newspapers, charging that the government was using indecorous haste in the hope of causing the triumph of one side, and protesting that the citizens were unprepared to decide such a momentous question without more information as to the vital issues, information which had been purposely withheld by the government. It was also impossible, they said, to ascertain the mature convictions of the people while the war was on. As to the method of voting by signing registers, they asserted that it was not only illegal but also contrary to the liberal program of the government itself, because it

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[1] In one account there is found the assertion that the republicans attempted to overturn the government on the day that the polls were closed. Raffaele Giovagnoli, "Le risorgimento italiano," in *Storia politica d'Italia,* vol. 9, p. 820.

[2] These figures are from the report by the Minister of the Interior to the Subalpine Parliament on June 15, 1848. *Le assemblee del risorgimento,* vol. 1, p. 209. He gives the population in Lombardy in 1848 as 2,667,337.

[3] In a dispatch of June 9, Abercromby, the British representative at Turin, gives the figures for the chief cities of Lombardy as follows (*Parliamentary Papers* [1108], p. 576):

| CITY | QUALIFIED VOTERS | VOTES FOR MMEDIATE UNION | DEFERRED |
|---|---|---|---|
| Milan ................ | 132,882 | 130,040 | 228 |
| Brescia ............. | 88,644 | 85,334 | 35 |
| Pavia ................ | 38,173 | 36,560 | 9 |

prevented discussion, the inalienable right of the citizen, and substituted a mute bowing before power for the free expression of the real will of the people [1] which would have been secured by means of a constituent assembly. As to the petitions for holding the plebiscite, these, they said, were obtained by bribing the country people. The conservatives, on the other hand, objected to the conditions contained in the vote, being opposed both to universal suffrage and to a constituent assembly.

The fusionists were charged by the republicans with carrying on an unscrupulous agitation. In order to neutralize the republican opposition, they said, royalist agents had been at work spreading the idea that the choice was limited in reality to the dilemma: Carlo Alberto or Austria.[2] The bishop had issued commands that the will of the government should be supported and there were complaints that the peasants voted under the guidance of the priests. It was further asserted that foreigners voted, that the soldiers' votes were influenced by the presence of their officers, and that the condemned voted before the gallows.[3]

From the dispatches of Abercromby, the British representative at Turin, we get another contemporary view of events which makes no such charge of corruption or pressure.[4] La Farina, who was in Lombardy at the time of the vote, speaking of these accusations, says that anyone who, like him, saw Lombardy in those days, was persuaded that the majority of the people of Lombardy were for the cause which won.[5] King, in his history of the period, admits the truth of the charges, but says that, making every allowance for the unworthy acts of the one party and the disorganization of the other, the vote showed an overwhelming preponderance in favor of fusion.[6]

The suggestion that many republicans abstained is hardly supported by the percentage of the vote to the number qualified. Registration was not a voluntary act. The names were placed on the registers by the election officials and we do not hear that they failed to enter the proper number of qualified votes. But, certainly, the method of voting by signing a register under the eyes of the priest offered every opportunity for pressure and coercion and to pretend that in the midst of agitation and war a vote can have the same regularity as at a time of public quiet, is to pretend the impossible. Yet though the charges of irregularity are numerous no one goes so far as to assert that the result was not satisfactory to the great majority of the people. The truth appears to be that the conservatives wished the fusion in order to avoid a socialist republic, and the mass of the republicans, impressed with the need of unity and reassured by the liberal institutions of Piedmont, were willing to sacrifice the republican form for the sake of union, provided it be under an absolutely democratic constitution.[1]

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[1] See *Le assemblee del risorgimento,* vol. 1, p. 200 for text.

[2] Bolton King, *History of Italian Unity,* vol. 1, p. 243.

[3] *Le assemblee del risorgimento,* vol. 1, p. 96, quoting from Carlo Cattaneo.

[4] The result was no surprise to him. In a letter to Palmerston dated from Turin, May 14, enclosing a copy of the decree for the plebiscite, Abercromby says, "There can be little doubt that a large majority will be found to have voted for immediate annexation." *Parliamentary Papers* [1108], p. 457. It should be said, however, that this is the opinion of a representative of a government in favor of Italian unity and accredited to the Savoyard Court.

[5] *Le assemblee del risorgimento,* vol. 1, p. 96.

[6] King, *loc. cit.,* adds that the dread of a socialist republic, sycophancy to a king and ambition to see Milan once more the seat of a brilliant court also entered in.

At a solemn meeting, in the presence of the archbishop and the civil and military officials, the provisional government announced the official figures. The result was hailed with joy by the populace. A few days later a solemn deputation presented the vote to Carlo Alberto, who received them, attended by the Duke of Genoa, the ministers of state and the officers of the army. He accepted the vote as a promise of unity and success in the struggle for Italian freedom.[2] It was unfortunate that the reds still cherished a feeling of having been betrayed by the hastening of the vote. Patriots though they were, the resulting jealousy and political dissension prevented the full support which they might have given to the Sardinian campaign.

On the outbreak of the revolt in Venice, on March 22, the provisional government had immediately proclaimed a republic, with Manin as president, and had summoned delegates to draw up a constitution. Manin exerted every effort to carry out the republican plan of delay. The cities of the Venetian mainland, however, were unwilling to surrender their hope of a union of Venetia with Lombardy. They had joined in the commission to draw up a plan for an assembly; they now followed Lombardy's lead in opening registers for a popular vote. The cities of the Venetian mainland were incorporated in the Sardinian kingdom by the same decree which incorporated Lombardy. Alarmed at the threatened isolation and made conscious of the need of concerted action by the approach of the Austrian forces, Manin and the Venetian government on June 3 issued a decree convoking a representative assembly on the basis of universal suffrage. A later decree of the Consulta provided that the public should be given information as to the financial, military and commercial situation in order that their votes might be the more intelligent.[3]

The assembly met on July 3. On the following day, Manin in a noble and patriotic speech withdrew his opposition in face of the almost universal sentiment for immediate union with Sardinia.[1] Union was promptly voted by 128 to 6 on the same conditions as those stipulated by Lombardy.

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[1] The women too, though not included in the plebiscite, did not remain silent as to their wishes. See "Address to the Women of the Sardinian States." Documents, *post*, p. 393. Unfortunately the number of signatures is not stated.

[2] For address of deputation and the answer of the king see Documents, *post*, pp. 391 and 392.

[3] Documents, *post*, p. 406.

Plebiscites had already been held in the duchies of Parma, Piacenza, Modena, and Guastalla, with overwhelming majorities for union. All these votes were by manhood suffrage for all over twenty-one with no literacy test. In all of these plebiscites the lists were open over a considerable period of time, in one case for a period of three weeks. In each case the chief election official was the parish priest. In Parma the signing of the lists was to be in the presence of the mayor and the priest. In Reggio a special commission of eight and a subsidiary committee of twelve were appointed to collect the signatures, working in conjunction with the priest. In Modena a commission of four was appointed to assist the priest. In Parma and Piacenza each voter was allowed to cast his vote for the solution most pleasing to him, and to surround it with any conditions desired. In Parma some voted for the former ruler, some for union with Tuscany, some for the Pontifical States. In Piacenza there was a similar scattering. In both, however, the great majority voted for Sardinia. This vote was in each case accompanied by a series of conditions relating to the future status of the chief city, the disposal of the state funds, protection for the university, and similar provisions.

The percentage of the votes cast by those qualified was very high. In Reggio, out of 36,814 qualified voters, 29,851 voted for Sardinia alone.[2] In Piacenza out of a population of 206,566, there were 37,089 votes for Piedmont, the scattering votes amounting to 496. The figures for Modena are not given in the official report. The Sardinian Parliament incorporated each province with the same formula.[3] The union thus decreed was a short-lived one, however; the Austrian forces soon returned with the petty sovereigns in their train. The peace of 1849, based on the defeat of the Piedmontese forces at Novara and Custozza, returned Lombardy and Venetia to Austrian rule,[4] and restored the dukes to the throne from which their subjects had so formally banished them. Another decade was to pass before unity could be achieved.

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[1] The British Consul General at Venice in a dispatch of June 4 wrote to Viscount Palmerston: "There is no doubt that the majority of the inhabitants of Venice, comprising by far the greatest part of the upper and middle classes, and the whole of the marine, a very influential body, are in favor of a junction with Piedmont, rather than a continuation of a Republican Government, even supposing the Venetian Republic could exist, confined as it would be to Venice and the islands of the Lagunes by the separation from it of the provinces of the mainland. Indeed, of the members of the existing Provisional Government, it is understood that the President, Signor Manin, is the only one who is desirous that the Republic, reduced to the dimensions above mentioned, should be carried on." . . . *Parliamentary Papers* [1108], p. 567.

[2] Other votes are not mentioned in the result.

[3] The decrees proclaiming the plebiscites, the formal statements of the results, and the laws of the Sardinian Parliament incorporating the duchies in the kingdom, basing the union on the plebiscites, will be found in Documents, *post*, pp. 411 to 441.

[4] After the withdrawal of Piedmont, the republic had been again set up in Venice, but the city was forced to capitulate shortly.

## The Italian National Assemblies of 1859

However permanent the Powers may have considered the restoration of the petty princes to their Italian thrones in 1849, it was obvious that the inhabitants of the duchies regarded the arrangement as purely temporary. By 1859, there was but one party in Northern Italy, that for union with Sardinia. Republican prestige had greatly increased after the defeat of Sardinia in 1849, only to fall again through the subsequent ill-conceived revolutionary attempts in Genoa, Milan and Leghorn. It was, too, becoming increasingly evident that union could come only by the aid of France and the complacency of Europe and that neither France nor Europe looked with favor on the proposal of a republic in the Italian peninsula. Thinking union more important than form, many of the republican leaders, among them Manin, and thousands of their followers, had gone over to the Sardinian party. La Farina, Manin and Pallavicino, three former republicans, founded the *Società nazionale* with the motto " Unity, Independence and Victor Emanuel," which made great headway, especially in the provinces under Austria. The party for federation under the Pope, the plan so eloquently urged by Gioberti, had long since been abandoned by its leader and was of small importance in Italy, though, having found a lodgment in the brain of Napoleon, it was to cause endless difficulty. The Sardinian party had no rivals save in Tuscany, where there was a party for autonomy, of uncertain strength, and in Rome and Naples where the liberals still wished for constitutional government rather than for union.

Napoleon's aid against Austria had been promised to Cavour at Plombières in 1858. By the bargain made there, the Austrians were to be expelled, from the Alps to the Adriatic, Venetia and Lombardy were to be annexed to Sardinia, Central Italy was to form a separate kingdom under a Bonapartist prince, Naples was to be a third under Lucien Murat, and the whole was to form an Italian confederation under the presidency of the Pope. In return for this, Savoy and Nice, which had formed part of France after the plebiscites in 1792,[1] and had been returned to Sardinia in 1815, were to be given back to France.

The war which had been planned at Plombières by Cavour and Napoleon broke out on April 29, 1859. The petty princes ruling over Tuscany, Parma, and Modena, and their dependencies, were completely under Austrian domination. When the invitation of Sardinia to join in the war of liberation was received, each in turn refused. The refusal was followed by a bloodless and orderly revolution in each duchy; the liberals rose, assumed power, and established a provisional government, which, in each province, announced the deposition of the reigning house.[1] Tuscany and the Romagna,[2] to which the union of 1848 had not extended, joined in the general revolt, proclaimed Victor Emanuel dictator, and sent envoys to Sardinia to offer allegiance. Lombardy, Parma and Modena, which had voted union in 1848, at once proclaimed the union to be again effective. Fearful of awakening the apprehension of the Powers at this early date, Cavour, the King and the Emperor thought it impolitic to accept these offers. Yet, as unity of action was essential for military success, a royal commissioner was appointed to each province to represent the King and the cause of Italian liberation, it being carefully stated that this was in no way to prejudice the question of union, a question which both Napoleon and Victor Emanuel had promised should be settled by a vote of the people themselves.[3]

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[1] Cf. *ante*, pp. 41, 43.

The events of the war need not be given here, nor the many explanations of the unexpected peace concluded between Napoleon and Francis Joseph at Villafranca. By the agreement there drawn up Venetia was to remain with Austria, while Lombardy was ceded to Napoleon, to be in turn ceded by him to Victor Emanuel. It is said that Napoleon made every effort to write into this article a stipulation of a vote of the Lombard people before the final cession.[4] Francis Joseph utterly refused to give recognition to such a revolutionary doctrine. The only vote in 1859 in Lombardy was that of the municipal congregation of Milan renewing the compact of 1848, a vote ratified in turn by the communal council.[5]

The cession of Lombardy was the sole concession made at Villafranca to Italian national aspiration. Venetia was to be retained by Austria, the dukes were to be restored to Tuscany and Modena, and the papal legates to Romagna. Parma alone was left unmentioned.

Napoleon, on leaving Italy, had promised that there should be no armed intervention to effect the restoration[6] and that votes legimately expressed should be carefully considered.[1] Deprived by Napoleon's defection of the hope of success through force, the Italians were compelled to take the hint dropped by the Emperor and to rely on their own political resources. The problem was no longer one of how to win a majority to the cause of unity, but how to make the will of the majority triumph in the face of foreign opposition. The Powers were soon to gather at Zurich to complete the Preliminaries of Villafranca and the parcelling out of the Italians. To defeat the ancient methods of diplomacy, the Italians determined to resort once more to the doctrine of national self-determination. Cavour resigned from the ministry the better to work for the union, which must be now done unofficially, and, on the insistence of Napoleon, the Sardinian commissioners were recalled.

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[1] The provisional government of Florence was appointed by the municipality on April 27.

[2] The Romagna was a part of the papal territory and was administered by papal legates.

[3] Napoleon, on June 8, after the battle of Magenta, said, in a proclamation to the Italian people, " I do not come among you with a preconceived system, to dispossess sovereigns or to impose my will; my army will busy itself with only two things, to fight your enemies and to maintain international order; it will oppose no obstacle to the free manifestation of your legitimate desires." Translation. For original text see Luigi Zini, *Storia d'Italia dal 1850 al 1866,* vol. 2, part 2, document no. 189 B.

[4] Cf. *ante,* p. 13.

[5] Documents, *post,* pp. 496 and 497.

[6] This stipulation is not contained in the Preliminaries. It was the result of subsequent diplomatic exchanges.

England and the English Cabinet, with Palmerston as Prime Minister, Lord John Russell as Foreign Secretary and Gladstone as Chancellor of the Exchequer, then took Napoleon's place as guardian of the Italian cause. Whereas Queen Victoria, the Prince Consort, and the Tories were consistently averse to the expulsion of Austria from the Italian peninsula, the Cabinet and the Liberals were the devoted friends of Italian freedom. Russell had indignantly opposed and repulsed the invitation to join in the two Emperors' plans. "We are asked to propose a partition of the peoples of Italy," he exclaimed, "as if we had the right to dispose of them."[2] In this attitude, policy harmonized with conviction. The Cabinet was determined on preserving the peace of Europe while Villafranca, by ignoring national aspirations, gave promise of future war. Such a war, moreover, would certainly result either in the end of the liberal movement in Italy or, equally fearful to believers in constitutional monarchy, it would end by setting up an Italian republic. The latter fear was one which Cavour found a most effective weapon.

In support of the policy of the Cabinet Russell made direct appeal to the doctrine of self-determination. The Cabinet, said Russell, was wholly opposed to the restoration of the dukes by force, which would be, in its opinion, unjustifiable; should such restoration be by the consent of the people, Great Britain would not object. The unbiased opinion of the people must, however, be clearly ascertained, and to establish the wishes of Tuscany, Russell supported the holding of a national assembly, elected in a fair and orderly fashion.[3]

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[1] Documents, *post,* p. 444. Cf. also address of Ricasoli to the Tuscan Assembly at the opening session. *Le assemblee del risorgimento,* vol. 3, p. 660. To Cavour Napoleon had said that he would plead the people's cause before the European Congress and that, meanwhile, they had simply to keep the tyrants from returning. Cavour to La Marmora, July 16, 1859, *Chiala,* vol. 3, p. 111. To the representatives of Parma who waited on him in Paris after his return he said to tell the people that their armies would not force the issue, but that their votes would. Giacometti, *La question italienne,* p. 353.

[2] Stuart J. Reid, *Lord John Russell,* p. 304.

[3] Russell, on July 19, wrote to Corbett, the British representative at Florence, who was

Encouraged by Russell's support, the Tuscan ministry on July 15, immediately after Villafranca, and in order to attest their wishes before Europe, issued a decree convoking a representative assembly, competent to pass a legitimate vote as to the definitive fate of Tuscany. The decree was signed by both the Sardinian commissioner and the provisional government. Instead of universal manhood suffrage, the decree provided for a qualified suffrage similar to that in Sardinia, based on a fairly low property, educational or professional qualification. In Modena, Parma, Piacenza, and Romagna similar assemblies were convoked on the basis of adult literate male suffrage. The voting was not by signing a register, as in '48, but by secret ballots cast in primary assemblies. The election machinery was in the hands of the provisional governments, the details of registration to be administered by the mayors. The period for compiling the lists and for claims to be entered appears to have been somewhat short,— eight days for lists and three for claims after posting, with appeal from decisions to a higher court.

In default of any definite information it is probable that the voting was by procedure similar to that established for electoral colleges by the Sardinian electoral law of March 17, 1848. By this law a card of identification was necessary for each voter to enter the voting place. A list of names of those qualified was posted in the hall, another copy was in the hands of the presiding officer. Each elector answering to his name, called from the list, received from the President a printed ballot on which he wrote his vote, or, if illiterate, got another man to write it. He then folded the ballot and gave it to the President who placed it in an " urn " or ballot-box.

The British Foreign Office kept a close watch over the conditions surrounding the vote. In answer to reports from Corbett, British representative at Florence, that oppressive measures were being used against partisans of the Grand Duke,[1] Russell instructed him to inform the provisional government that attempts to repress a free declaration of opinion in a matter of such vital interest to the government of the country would be unjust and illiberal. On July 26 Corbett wrote that almost all who have the right to vote had registered, and that he had been assured by the government of a full and free expression of opinion. By a decree of July 29 the date of the elections was fixed for August 7. On August 1 Boncompagni in order to disarm criti-

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endeavoring to discount the feeling for union in his dispatches to the Foreign Office, " It is much to be desired that a representative assembly should be convoked in Tuscany in order that the wishes of the people in favor of the autonomy of that country may be regularly and freely expressed." Documents, *post,* p. 449. See also Russell to Cowley (at Turin) July 25, *Parliamentary Papers,* Affairs of Italy, 1860, vol. 68 [2609], p. 20.

[1] *Parliamentary Papers* [2609], p. 28. Corbett also quotes one of the government as saying that it had been necessary to warn some of the ducal party who had shown a disposition towards disturbance. *Ibid.,* p. 44.

cism, resigned office and retired from Tuscany, an act at which Russell expressed the great satisfaction of the British Government as representing the intention of Sardinia to leave Tuscany wholly unfettered in her future choice.[1]

Ricasoli, a native of Tuscany, had been appointed by Boncompagni as President of the Council of Ministers. By a decree of August 2, Ricasoli ordered the president of each electoral college to inform the electors that the college was to elect a representative "for the sole purpose of expressing the legitimate vote of the Tuscan people as to the definite fate of the country." [2] The elections were held on August 7. No complete official figures of the result are available, but Corbett in a dispatch of August 10 [3] gives the returns as follows:

| | Those qualified | Voted |
|---|---|---|
| Florence | 5,700 | 3,200 |
| Districts adjacent | 1,000 | 890 |
| Priests in Florence | 1,200 (almost all of whom were qualified.) | 15 |

According to Corbett, probably three-fourths of the entire electorate went to the polls in spite of the efforts of the priests, who, though no longer election officials, made full use of their religious power to persuade them to abstain. This was more successful in the country districts than in the towns. The archbishop of Florence had shown his discountenance to the elections,[4] but this attitude was not universally followed, for in other districts four priests were themselves elected. The testimony of both Hudson from Turin, and Corbett from Florence, is to the effect that the elections were carried on throughout the country in the most orderly manner, and that the result was received with such lively enthusiasm as to indicate that the Grand Duke had few friends. The enthusiasm appeared to be from all classes, though, Corbett adds, had the vote been by universal suffrage the result might well have been different as the lower orders had taken little interest in politics, and, in the country places, where there was no dislike of the Grand Duke, the people might have been induced to give their votes for restoration. But, he concluded, such a result would have been wholly at variance with the desires of the upper and middle classes. The Grand Duke's cause had been destroyed for these by his presence with the Austrian forces at the battle of Solferino, and the common danger had awakened a community of feeling with Central Italy, the party of union with Piedmont in each province gaining courage from the strength of similar parties.

Corbett adds that another reason for the apparent unanimity is that many of the legitimists abstained from voting on the ground that the right of the Grand Duke to the throne could not be affected by the vote of a popular legislature. Groundless fear on the part of others kept them from the polls, or, if they voted, led them to do so against their convictions. But, he concludes, as far as can be ascertained the vote of union represented the desire of the overwhelming majority of the inhabitants of the Duchy.[1] Even the officers of the Tuscan army appear to have been wholly against the restoration of the Grand Duke.[2]

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[1] *Parliamentary Papers* [2609], pp. 33, 36 and 44.

[2] Documents, *post,* p. 453.

[3] *Parliamentary Papers* [2609], p. 54.

[4] *Ibid.*

In other duchies the Sardinian commissioners, on retiring, had been appointed by the provisional governments as dictators or governors, and decrees convoking the primary assemblies had been at once issued. Everywhere perfect order was enjoined in order that nothing should detract from the authoritative character of the vote and its effect on Europe. Throughout Italy the elections were orderly and decisive. While there were Sardinian troops in Modena, placed there by Boncompagni to maintain order, there were no charges of coercion or disorder. Everywhere the victory of the Sardinian party was unquestionable.

In Tuscany the delegates, through birth, scientific, literary or industrial pursuits, were among the chief citizens of the province.[3] The Tuscan Assembly thus elected considered itself a representative rather than a deliberative body,[4] the deputies having been elected on the platform of union. The assembly of 171 delegates met on August 11. After high mass in Santa Croce where divine inspiration was invoked for the deliberations of the assembly, the delegates marched to the Palazzo Vecchio where the Hall of the Cinque Cento had been prepared for their sittings. The crowds collected in the streets greeted them with wild enthusiasm as they passed, preceded by ministers of state, and followed by the Municipal officials of Florence. Bands played, cannon boomed. The session opened at 10 A. M. with an address read by Ricasoli as President of the Council of Ministers, explaining the political situation. The eldest member was elected president, the four youngest members were named secretaries[5] and the usual formalities of verification of powers and adoption of rules were carried out.

The method of voting was as follows. Each deputy was given two small balls; one black, the other white. The black signified approval. As their names were called in alphabetical order, each deputy advanced to the urn, dropped in the ball representing his vote and dropped the discarded ball into another urn. The counting was done in public.

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[1] The Grand Duke had abdicated in favor of his son on August 4, but it was too late to affect the result.

[2] Corbett forwarded a letter signed by them protesting against charges of attachment to the old dynasty. *Parliamentary Papers* [2609], p. 270.

[3] Corbett to Russell, *Parliamentary Papers* [2609], p. 54.

[4] Their names are given in full in *Le assemblee del risorgimento*, vol. 5, p. 657, "To Florentines ever mindful of their glorious past, it seemed as if three centuries and a half had been bridged; for when the clerk read the rolls, name after name rang out of the men who had made Florence great." *Thayer*, vol. 2, p. 132.

[5] Corbett to Russell, August 11, *Parliamentary Papers* [2609], p. 55.

On the fifth day of the session a resolution for the dethronement of the House of Lorraine was introduced and referred to all the committees into which the assembly was divided. Each committee named a representative to confer upon the resolution, which was adopted. The assembly, after a detailed indictment of the misrule of the dukes and a statement of the absolute incompatibility of the Austrian House of Lorraine, and the Italian desires of Tuscany, unanimously decreed the Austro-Lorraine dynasty to be deposed, and declared that the dynasty could never be either recalled or received to reign again over Tuscany.[1]

At this same session of August 16 a resolution was introduced for the annexation of Tuscany to the Kingdom of Victor Emanuel II. It was reported on August 20, and was adopted without a dissenting voice.[2] In the duchies of Parma and Modena each assembly as it met passed similar decrees dethroning their dukes and asking for union with Sardinia.

The attitude of Napoleon had not been changed by the vote. Unable to attack the principle of popular sovereignty, he alleged that the vote had been due to pressure from Sardinia,[3] to the momentary enthusiasm of the emotion accompanying war, and was not the cool expression of the popular will. He further asserted that there was ample reason to believe that Tuscany really wished independence, and that the vote had been due not to desire for union with Sardinia, but to fear of the return of Austrian domination. Although the British representatives in Italy refuted these allegations,[4] in the face of Napoleon's opposition Victor Emanuel was forced to delay the union to an indefinite future. The provisional governments of the duchies endeavored to cement the union by forming a League of Central Italy composed of Parma, Modena, and Romagna, which were henceforth united under the name of Emilia and, by electing as regent a prince of Savoy, Eugene of Carignano. He, too, was forced to refuse by the opposition of Napoleon, who was still hoping for the establishment of the provisions of Villafranca, which had now been embodied in the Treaty of Zurich.

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[1] Documents, *post*, p. 457.

[2] There were two abstentions, one being due to a desire for a Bonapartist kingdom.

[3] The ducal party asserted that the whole movement had been directed from Turin; that Boncompagni, the Sardinian commissioner, although sent for purely military purposes, had at once become the chief figure in the provisional government, had fomented the revolt against the Grand Duke and had tried to win over the Tuscan troops to the Italian cause through gifts of money and free quarters. The initial revolt, however, appears to have been spontaneous and Boncompagni, instead of falling in with the original purpose of Ricasoli to effect an immediate union with Sardinia, appears to have exerted every effort to force delay, a course in which he was supported by the Sardinian government, which on his inquiry, instructed him that the initiative should not come from the Tuscan government when the royal commissioner was at its head. *Le Assemblee del risorgimento*, vol. 3, p. lxii. For a presentation of the other side, and especially the Sardinian plot in Parma, see Marquis of Normanby, *A vindication of the Duke of Modena from the charges of Mr. Gladstone*. Normanby was the British Minister at Florence.

[4] Russell on December 12 wrote to Hudson at Turin asking for the truth of the charges of terrorism and Sardinian agency in the duchies and Romagna, and for proofs, further than the recorded votes of the assemblies, of the satisfaction of the people and the tranquillity of the country (*Parliamentary Papers* [2609], p. 252). To this Hudson answered on December

## The Italian Plebiscites of 1860–1870

### *Tuscany and Emilia,* 1860

Napoleon was busily endeavoring to secure a European Congress to settle the question of the method of restoring the dukes and the Pope to their dominions. This did not satisfy the British Cabinet. As a solution of the difficulty presented by Napoleon's attitude, Lord John Russell, on January 15, 1860, proposed that the matter be settled by another vote of the Italians themselves, and presented his proposal of the " Four Points " to the French Government.[1] By this plan Great Britain and France were to invite the King of Sardinia to agree not to send troops into Central Italy " until its several states and provinces had, by a new vote of their assemblies, after a new election, solemnly declared their wishes as to their future destiny." Thus did Russell corner Napoleon who could do no less than accept the proposal with the reservation, however, that the vote should be by universal suffrage.[2]

The British proposal had left the matter of suffrage vague and Russell had recommended that the Government of Tuscany ascertain the views of France on the point.[3] Russell made no objection to the French stipulation of universal suffrage but was content to leave it to the states themselves to decide, the matter of first importance being, to his mind, that the elections should be carried out under circumstances free from any reproach of intimi-

25 that the imputation of terrorism by Sardinia was purely gratuitous and imaginary, that the Tuscan vote had been clear and explicit, that the Piedmontese troops had been scrupulously recalled from the duchies and Romagna, and that the Piedmontese party had thereupon greatly increased. He attributed the vote for Sardinia directly to popular indignation at the terms of Villafranca. If all the supporters of annexation had been paid, Piedmont would now be insolvent, he added. *Ibid.,* p. 444.

[1] Documents, *post,* p. 499.

[2] Thouvenel declared that the French Government could not divest itself of the moral responsibility arising from the treaty of Zurich unless the principle of universal suffrage, which constituted its own legitimacy became also the foundation of the new order of things in Italy. *Annuaire des deux mondes,* 1860, p. 103.

[3] Russell to Corbett, February 6, *Parliamentary Papers,* Affairs of Italy, 1860, vol. 67 [2636], p. 36.

dation or emotion.[1] Cavour, who had resumed office as Prime Minister of Sardinia, had been inclined towards an assembly elected by qualified franchise as in Sardinia, but at once perceived the value of basing the vote on the broadest sanction possible and gladly acquiesced in Napoleon's views.[2] On February 24, he wrote to La Farina, his chief coadjutor in the work for annexation, recommending that he propose universal suffrage as his own idea, and " show at the same time that it would not have all the drawbacks generally feared." [3]

The chief objection to holding the new vote came from Ricasoli, the head of the Tuscan government. Ricasoli asserted that the first election had been legal and decisive. To hold another election would, in his opinion, serve to strengthen the argument against the former one. Russell answered with a warning that any reluctance would, on the contrary, amount to admission that the allegations against the first vote were true.

While this discussion was going on, Napoleon, repenting of his assent, again proposed a plan of federation under the presidency of the Pope, the Grand Duke to be restored as ruler of Tuscany, Romagna to be a vicariat under Piedmont, and Austria to act as suzerain over Venetia. The French note ended with a veiled threat in case this arrangement was not adopted, a threat doubtless used to introduce a new mention of Savoy and Nice as compensation for such union as was granted by the scheme of federation. Cavour consented to communicate the proposition of the federation to the several States, but with the comment that although Sardinia would do its utmost to meet the views of Napoleon " it could not, even at the risk of being abandoned by France, deny the principle of popular will on which the Italian throne reposes." The people of Tuscany and of Emilia, into which the former duchies of Parma, Modena and Romagna had united, must decide for themselves; whatever their decision, Cavour promised, it should be respected.[1]

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[1] Russell wrote to Hudson on February 6, " So far as Her Majesty's Government is concerned, our views would be satisfied if the actual law or practice of Tuscany, Modena, Parma and Romagna were observed. We have never adopted universal suffrage for ourselves . . . if that suffrage is proposed by France we should leave the different states and provinces to decide for themselves, both as to who should be electors and as to the mode of election. We have chiefly in view an election not carried by intimidation nor partaking of the excitement of the first outburst of the national feeling for independence." *Ibid.*, p. 36.

[2] On February 19 Cavour had written " We believe the better way of arriving at the true sentiment of the Tuscan people would be to convoke an assembly elected by classes which represent wealth, intelligence, and property. But if the Emperor is unwilling to recognize any authority save that of universal suffrage, we would also agree without hesitation, since, after all, we do not wish to have Tuscany united to us, if the majority of all classes, rich and poor, rural and urban, do not definitely wish it." Cavour to Arese. Translation. For original text see *Chiala,* vol. 3, p. 211.

[3] Translation. For original text see *Zini,* vol. 2, part 2, document no. 260. February 29, Cavour wrote to Nigra " they will, perhaps, adopt the means of universal and direct suffrage as the one of which the result may be least contested." Translation from *Parliamentary Papers* [2636], p. 31.

To block any further diplomatic manœuvres of Napoleon, preparations for the vote were now hurried. The elections were called in both Tuscany and Emilia for March 11 and 12. The preamble of the Tuscan decree of convocation recites that although the Tuscan Assembly had, on August 20, voted unanimously for union, it was found expedient to consult the Tuscan people directly, with full legal forms, and in this way dissipate the doubt in Europe as to the complete freedom of the former vote and the firmness of the national will. Absolute manhood suffrage for all over twenty-one, whether literate or not, who were in enjoyment of civil rights and had resided in the commune for six months, was established.

The voting, as in 1859, was to be by secret ballot, cast in the *comizi*.[2] The polls were to be opened in the chief town of each district for the two days, from 8 A. M. to 6 P. M. The mayors and aldermen were put in charge of the drawing up of the electoral lists, which were to be based on the parish registers but were to include those non-Catholics who should go in person to register themselves. The voting was to be presided over by five common councillors, two of whom were always to be present. The formulas for the vote, to be written or printed on the ballots, were " Union with the Constitutional Monarchy of King Victor Emanuel " and " Separate Kingdom." There was only one ballot-box or " urn." The vote appears to have been meant to be secret, but it is probable that the voter had to select his ballot from one of two receptacles, as was the custom of the time, and thus the secrecy was somewhat impaired. Soldiers were to vote at their stations. The sealed ballot-boxes and formal minutes of the vote, drawn up by the election officials and transmitted through the several administrative officials to the Supreme Court of Cassation at Florence, were to be received by the court and the final vote announced in formal public session in the presence of the Ministry.

The provisions in Emilia were practically identical. Farini had objected to submitting the alternative of a vicariat in Romagna to popular suffrage, on the ground that it was a question at the same time complicated and unnecessary, as nothing would induce the people of Romagna to vote for a return of the papal legates.[3] The formula of the question submitted in all parts of Emilia was the same as that used in Tuscany.

On March 2, the day after the decree had been promulgated, Boncompagni, who had been acting as governor-general of Tuscany, again resigned office. There was, however, no doubt of the result. It was obvious that the vote would be merely a reiteration of an unquestioned desire. In both provinces the balloting took place in perfect tranquillity. The votes of Tuscany were counted formally in public audience and the result embodied in a report signed by all the ministers and made public by the Supreme Court of Cassation. The court announced that of the 386,443 votes cast, there were 366,571 for union, 14,925 for a separate kingdom, and 4,949 were void.[1] In Emilia, where 89 per centum of those qualified had voted, the vote for union was even more decisive.[2] Rival dignity led the two deputations carrying the official result of the vote to present themselves to the King on different days. Farini led the deputation from Emilia. They were received by the King standing on the throne, surrounded by the nobles, the state councillors, the high officials of the crown and of the army, and the whole magistracy. The sumptuous ceremony was repeated for the Tuscan deputation. The votes were accepted and by two royal decrees, issued on the same day, the provinces were declared to be an integral part of the kingdom " in view of the result of the universal vote held in the province of Emilia (of Tuscany) the result of which was a general vote of the population to unite with our State."

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[1] Documents, *post*, p. 508.

[2] These appear to be the equivalent of our electoral districts.

[3] *Zini*, vol. 2, part 2, documents nos. 259 D and E.

## *Savoy and Nice,* 1860

Having failed to free Venetia, Napoleon had been forced to relinquish his claim to Savoy and Nice. The refusal of the people to carry out the terms agreed on by the two Emperors at Villafranca, and the movement for union in Tuscany and Emilia, gave him an opportunity to exact the old promise as the price of his acquiescence, on the ground that the two provinces were the equivalent of Venetia. Cavour was forced to yield the matter and the treaty of cession was signed at Turin on March 24.[3]

The treaty, however, did not provide for unconditional cession. Cavour had already comprehended the full value of the plebiscitary method of Napoleon. He had resorted to it to circumvent Napoleon in Italy. He now again invoked it to legitimate in the eyes of Europe, a transaction sure to be repugnant to it as well as to protect himself against the certain attack of Italian patriots against a cession of Sardinian soil. On Cavour's insistence, Article 1 of the treaty provided that the annexation should be effected without any constraint of the wishes of the populations.

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[1] Documents, *post,* p. 529. The population of Tuscany, according to the census of 1861, was 1,826,334. *Statistica del Regno d'Italia,* Popolazione, Censimento generale, vol. 1, p. xxii.

The authenticity of the returns did not escape attack from the papal historians. De Beauffort in *L'Histoire de l'invasion des états pontificaux,* p. 396, quotes Curletti, a former secretary of Cavour and an official of the Piedmontese police at the time, as saying that in the Tuscan elections the officials, who had been carefully chosen for the purpose, had seen to it that affirmative votes were thrown into the urns to cover the abstentions, as well as a judicious number of negative votes in order to lend plausibility to the result.

[2] Documents, *post,* p. 533. The census of 1861 gives the population of Emilia by provinces. The population of Parma and Piacenza was 474,598, that of Modena, Reggio, and Massa was 631,378, and that of Romagna 1,040,591.

[3] Documents, *post,* p. 566. There is no doubt that the idea of a cession of Savoy in return for foreign assistance was an old one. In 1883, it is said, the Mazzinian society of La Giovine Italia offered Savoy to France and the Sicilian ports to England in return for aid. Cf. *Chiala,* vol. 4, p. xii, note, who refers the assertion to C. Cantu, *Croni-storia dell' independenza italiana,* vol. 3, p. 401.

As the ensuing plebiscites are at the same time the most familiar instances of a territorial cession subordinated to a popular vote, and the ones most bitterly attacked, it is advisable to give in some detail the previous history of the territories.

The two territories being contiguous, and the cession having been provided for in the same treaty and under the same stipulations, the custom of considering the two regions as identical and the plebiscites in them as one is perhaps natural. This collective treatment is, however, quite inaccurate. The two regions, different physically and racially, had had a widely differing history and, to contemporaries, the result of the votes which in the one instance aroused such widespread wonder and incredulity, in the other caused little surprise.

Savoy, though in history as often a part of Piedmont as of France, lies on the western slopes of the Alps. It is a mountainous region, the valleys opening on France and Switzerland. The duchy was composed of two divisions, Chambéry and Annecy. Each division had for its capital a city of the same name. Of the three provinces of Annecy, two, Chablais and Faucigny, bordering on Lake Geneva, had been included in the neutrality of Switzerland when, in 1815, Savoy had been given back to Piedmont.[1] The chief commercial ties of these provinces were with Geneva, whereas the commercial ties of southern Savoy were with France. The people were French in race, however, as were those of the rest of the duchy. The devotion of the Savoyards to the church and its hierarchy was one of the chief characteristics of the duchy. It is said that there were more priests and monastic orders in Savoy than in the rest of Italy put together.

Savoy was thus divided from Piedmont by language, customs and economic interests, and by the intensity of its devotion to the church, but a more vital element of difference than race, religion or language, was the conviction of the Savoyards that they were governed according to the political exigencies of the cabinet at Turin, rather than according to their own desires, needs and traditions.[1] The Savoyards resented the fact that the administrative officials were Piedmontese, no Savoyard being allowed to rise to positions of importance, and that almost one half of the taxes were spent outside of the duchy. The " question of Savoy " was agitated in contemporary discussion as that of " another Ireland." This feeling naturally strengthened the sympathy with France in whose history the people of Savoy had played their part. There had always been a dormant French party in Savoy. The nationalist movement of 1848 had galvanized it into activity. At that time, the liberals, however, had been quieted by the concession of French as the official language and the conservatives had been restrained by distrust of republican France. The movement for annexation had again subsided until 1856, when events in France gave new life to the French party. The Savoyard conservatives were reassured by the change from republic to empire and had been estranged from Sardinia by Cavour's acts of 1850 when he caused the suppression of ecclesiastical privileges and closed the convents.[2] All the journals, democratic and conservative, supported the movement, as did the great colonies of Savoyard expatriates in Paris, Lyons and Marseilles.

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[1] Whether this neutralization was in order to benefit Switzerland or Piedmont was in 1860 a matter of bitter controversy. The British government supported the Swiss claim that the neutralization was to protect Switzerland only. The French and Italian view was that the neutralization was at the request of Sardinia, and as a recompense by the Powers for the cession of a part of her territory to Geneva. The neutralization was desired because these two provinces were crossed by the Simplon and Great St. Bernard and had no means of military communication with Turin, which was thus without the means of defending from French aggression these two routes across her territory. By the provision of 1815 no armed troops of any Power were to be allowed to traverse the region. In case of Piedmont being involved in war, her troops were to withdraw and the Swiss troops were to police and defend the neutralized territory.

The events of 1859 by which Piedmont was expanded into the kingdom of Northern Italy intensified the feeling of isolation. Savoy, not being Italian, was reluctant to enter on a war for Italian nationality.[3] The consequence to Savoy was the subject of constant discussion. Even the addition of Lombardy alarmed them. In July, 1859, after Villafranca, a petition was drawn up and sent to Victor Emanuel asking what was to be the future of Savoy in this Italian national kingdom.[4] The address became the starting point for propaganda which was strenuously opposed by the Sardinian government.[1] To the alarm at the prospect of loss of political importance was added distrust of Cavour's further policy towards the church.[2]

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[1] *Saint Genis,* vol. 3, p. 338; also *Trésal,* p. 330.

[2] Francisque Grivaz, " Le plébiscite d'annexion de 1860 en Savoie et dans le comté de Nice," *Revue générale de droit international public,* vol. 3, p. 573.

[3] On February 9, 1859, Marquis Léon Costa, a deputy from Savoy, speaking in the Sardinian Chamber had said: " Cette province sacrifie ses ressources pour annuler son influence déjà si minime dans l'Etat." *Trésal,* p. 136, quoting from *Atti del parlamento subalpino,* vi$^{e}$ légis. 2nd session, p. 332. The Roman exile, Mamiani, said that Savoy felt abandoned as Ariadne on the cliffs of Naxos. *Saint Genis,* vol. 3, p. 339.

[4] " Sire . . . les actes émanés de votre gouvernment, les bases de la paix qui a été signée, proclament la fondation d'une nationalité italienne, nettement dessinée par les Alpes ainsi que par le langage, les mœurs et la race de ceux qui doivent en faire partie.— Ces désignations, Sire, excluent la Savoie. La Savoie n'est pas italienne, elle ne peut pas l'être, quel est donc l'avenir qui lui est reservée? " Bourgeois, " L'Annexion de la Savoie à la France," *Revue générale de droit international public,* vol. 3, p. 680; *Trésal,* p. 155; *Saint Genis,* p. 342.

On the other hand the liberals, supporters of the French union in 1848 were now in favor of union with Italy, which, under Cavour and the revolutionary leaders, was far more promising than the Empire with its cultivation of the clericals.[3] Stirred to action by the growing rumors of negotiations for cession, in the last month of 1859 the liberals organized. Their program was for a union with Switzerland, if union with Sardinia was impossible, or, if union with Switzerland could not be managed, then for an independent duchy under a liberal prince. They held a demonstration on January 29, 1860, when a crowd numbering, according to the sympathies of the historian, from 400 to 3,000,[4] met at Chambéry and swore allegiance to Victor Emanuel and to the union.

Such appear to be the facts as to race, language and public opinion in Savoy at the opening of the year 1860. The city and county of Nice were in a far different situation. It had had a history as varied as that of any border city. In the early days it had been a free city and in alliance with the several Italian cities of its vicinity. Later, to escape the covetous hand of the Counts of Provence it had placed itself under the protection of the Counts of Savoy. Except for the period of annexation to the first French Republic,[5] it had followed their fortunes and, with the setting up of the Kingdom of Sardinia under the Savoyard princes, Nice became part of that kingdom. Yet though its history had been varied there is little suggestion that Nice was anything but Italian and it is probably this fact which led Napoleon, in his first public intimation of the French claim to the two regions, to base it not on nationality, even though in Savoy he had a clean case, but on the claim of balance of power and natural limits. There is some mention of a French party in Nice, of which Cavour made the most in his defense, but it is not convincing.

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[1] The clerical *Courrier des Alpes* was suspended for contending that as the people of Central Italy had voted for Piedmont, the Savoyards were entitled to vote on their own fate. *Trésal*, p. 155.

[2] In the elections of 1857, Savoy with few exceptions had gone solidly clerical. Cavour, writing of his passage through Savoy on his way to Plombières in 1858 says, "Nobody hissed me on the streets, I can't expect more." Translated from *Chiala*, vol. 6, p. 251, Cavour to Santa Rosa, July 13, 1858.

[3] The Savoyard liberals wrote lively brochures saying that France was not the France of 1789, but the France of the Capucins and the Chouans, "Les intérêts de la liberté priment les intérêts de la nationalité. Ubi libertas ibi patria." *Saint Genis*, vol. 3, p. 346.

[4] The *Gazette de Savoie*, anti-separatist, puts it at 3,000. *Parliamentary Papers* [2624], p. 20. Grivaz credits this statement. Saint Genis puts the number at 400–500, p. 352; *Trésal*, p. 165, appears to credit the smaller figure.

[5] Cf. *ante*, pp. 43–45.

Although there had been persistent rumors as to a cession, the first public intimation of the claim of France was given by Napoleon in his address on the opening of the legislative chambers on March 1, 1860.[1] The speech aroused the apprehension of Great Britain, Prussia, Russia and Austria. Except for France herself there was not a court in Europe which did not feel itself threatened by the transfer. Each feared that Napoleon was planning to follow the footsteps of his uncle. If claims to the slopes of the Alps were to be reasserted, why not also to Belgium and the Rhine? This fear was not lessened by the fact that the cession would give France control of the passes.

Switzerland, already alarmed at the growth of the new Italian kingdom, was immediately concerned with the effect of the cession on the neutralized provinces. Napoleon had at first promised these provinces to Switzerland. At once there came from Savoy a vigorous protest against such dismemberment, a protest carried to Napoleon by a delegation of fifty-five provincial and municipal councillors of Savoy.[2] This was made use of by Napoleon as an excuse to abandon the idea. Napoleon's change of policy was made the subject of many and repeated protests by the Swiss Government which thereupon insisted that the people of Northern Savoy be allowed to vote on the alternative of union with Switzerland. To support this demand, petitions with numerous signatures, whether real or false is contested, were drawn up in the ninety-nine communes of Faucigny and Chablais, asking for the opportunity to vote for such a union.[3] It is asserted that Cavour promoted the movement in order to alarm the party for unity and force a vote for France, rather than be disrupted.[4]

The Swiss movement was intimately bound up with the economic needs of the northern provinces which depended on freedom of trade with Geneva. France understood the importance of this question of a tariff and on March 11, definitely promised that there should be instituted a trade zone with Geneva.

The Treaty of Turin was finally signed on March 24. The presence in the treaty of the clause conditioning the cession on the popular consent is usually credited to Napoleon; it is not strange considering his devotion to the principle. It appears, however, that in this instance Napoleon, though giving assurances to the Powers that no constraint would be used,[1] was actually opposed to the presence of the stipulation in the treaty. The reason for this, it has been suggested, was that Russia's acquiescence could be counted on only if there were no mention of a popular vote, and Napoleon needed Russia's support.[2] Certainly in the official announcement of the signing of the treaty in the *Moniteur* no mention is made of the vote, nor is it referred to in the *Senatus Consulte* of Union.[3] It is apparent that this clause was inserted and insisted on by Cavour.[4]

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[1] Cf. Documents, *post*, p. 538. From the correspondence between Russell and Cowley it is clear that England as well as the other European Powers had for months been fearful of such a claim.

[2] As these councils had just been renewed within three months, their attitude towards annexation to France should give some indication of public opinion. It must be remembered, however, that they had been elected not by manhood suffrage but on a tax-paying qualification of five francs annually in the rural communes and a proportionate rate in the towns.

[3] Documents, *post*, p. 552.

[4] *Saint Genis*, p. 354.

The treaty had utterly disregarded the claims of the Swiss Government and of the inhabitants of Northern Savoy. There was to be no third alternative to the vote for France or Sardinia. The only protection to Swiss interests was the clause perpetuating the neutrality of the Northern provinces. The only protection of the minority was the clause of option in Article 6, by which those wishing to preserve Sardinian citizenship might have a year's time in which to remove themselves and their property to Sardinia.

The treaty left the method of the vote to an agreement between the two sovereigns. Napoleon, yielding the point of popular consultation, next appears to have made an effort to have the vote taken not by universal suffrage but by the provisional or municipal councils already in existence. This was likewise the desire of the leaders of the French party in Savoy. This is, at any rate, the statement of Grivaz who gives authority.[5] He adds that it was on the demand of the people themselves, presented to the Emperor on April 1, that the governments, with common accord, adopted universal suffrage. Cowley, however, writing to Russell from Paris on April 6, says that the Emperor had proposed universal suffrage to the King.[6]

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[1] In transmitting the speech of March 1 to the French representatives abroad, Thouvenel said, "I hasten to add that the government of the Emperor has no wish to hold the guarantees which it demands except with the free assent of the King of Sardinia and of the populations. The cession, therefore, which will be made to it will remain exempt from all violence and from all constraint." From a translation in *British Parliamentary Papers,* Affairs of Italy, 1860, vol. 67 [2656], p. 5, March 13.

[2] Grivaz in *Revue générale de droit international public,* vol. 3, p. 579.

[3] Documents, *post,* p. 619.

[4] Cf. Cavour's speech in the Chamber of Deputies. Documents, *post,* p. 611.

[5] Grivaz, in *Revue générale de droit international public,* vol. 3, p. 578, cites the *Journal des débats* of March 16, 1860 and the *Courrier des Alpes* to further substantiate his statement. He repeats the following quotation taken from *Chiala,* vol. 4, p. lii, from an inspired article in *Le constitutionnel* of March 30 regarding plebiscites: "un tel principe (la souveraineté du peuple) pourrait devenir pour l'Europe, par une fausse extension, la cause de troubles et de dangers incessants. Le suffrage universel peut s'appliquer seulement à l'intérieur du pays, mais non servir à modifier l'exercice de la souveraineté dans les rapports avec l'étranger, ni pour un accroissement de territoire."

[6] *Chiala,* vol. 4, p. lxxx. Cavour to E. d'Azeglio, April 6, 1860. *Ibid,* vol. 3, p. 35. Thayer quotes Bianchi *La politique du comte de Cavour,* p. 342, "cependant nous avons pu,

On March 25, were held the first parliamentary elections of the new kingdom of Italy. The citizens of Savoy and Nice voted for their deputies as if no treaty had been made. To the protest of the French government, Cavour answered that as the treaty had not been ratified the inhabitants were still subjects of the King. The elections in the rest of Italy gave added reason for the conservative and clerical Savoyards to wish for separation, whereas the radicals were shorn of their strength. The clericals were almost wiped out and the Cavour ministry endorsed by an overwhelming majority. Of the eighteen deputies elected in Savoy all but two were conservative annexationists.[1] Of these two one had not declared himself and the other was hostile. It is improbable that the vote represented the work of a powerful organization, for the French party had not been organized, as is seen from their appeal to Napoleon to prevent this election because they had not had time to develop a propaganda.[2] All but two of the Savoyard deputies refrained from taking their seats in the Subalpine Parliament on the ground that as the vote on the cession had been decreed and as the French character, habits, language and commercial relations of Savoy left no doubt of the outcome, they thought it their duty to abstain from voting in the Italian Parliament until after the election. There are points to be observed, however, about this election. The suffrage was not universal but on a tax-paying qualification and there had been many abstentions due to failure to realize the significance of the vote. It is especially interesting, however, that Thonon, one of the chief communes of Chablais and near Geneva, had given a vote of 272 to 112 for the unionist candidate, and Bonneville had gone for annexation by 370 to 168.[3]

On April 1, Victor Emanuel absolved the inhabitants of Savoy and Nice from their allegiance, insisting, however, that the cession depended on their free consent.[4] The Piedmontese officials were recalled and replaced by native Savoyards. This was to remove all suggestion of direct pressure by the Sardinian governors against annexation. The appearance of perfect neutrality, however, was not attained as the appointments, save in rare instances, were of known leaders of the French party, whose names occur on the list of those who had been recommended to Napoleon by the Savoyard deputation in Paris as being friendly to the annexation. This was not true, however,

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non sans peine faire insérer les deux clauses de la sanction du Parlement et du vote des populations."

[1] *Saint Genis*, p. 360; *Thayer*, p. 214. It should perhaps be mentioned that Cavour had in February called to the Senate the chief pro-Sardinian delegate from Savoy, in order to give evidence of good faith to the Emperor.

[2] *Trésal*, p. 251.

[3] Only 390 had voted out of 857 registered, however. *Trésal*, p. 255, gives the votes by electoral districts, of which there were twenty-two, and says that Chablais and Faucigny had been won by the French promise of a zone.

[4] Cf. Documents, *post*, p. 569.

of Lubonis the provisional governor appointed for the city and county of Nice, for his name is signed to the protest against the cession to France, addressed by the municipality of Nice to Victor Emanuel on March 21. The syndics of the communes who were appointed officers, and supposedly native Savoyards or Niçois, were not removed but were allowed to retain their offices. The communal councillors, who were to aid the syndics in carrying out the vote, were elected officers. They too were retained.

Immediately on installation, the provisional governors proclaimed the plebiscite. The proclamation of Lubonis fixed the plebiscite for Nice and its district for April 15; that in Savoy was fixed for April 22. With the publication of these decrees the storm which Cavour had foreseen broke in the Sardinian Chamber. The difference in date and the haste in holding the vote in Nice were the chief bases of the attacks on the government. Garibaldi in his famous interpellation, on April 12, after utterly repudiating the cession of his native city, bitterly criticized the unseemly haste which did indeed give a ridiculously brief period for the compilation of the lists, and urged delay; Mamiani offered a resolution providing for delay and also for a committee of inquiry to be sent by the Chamber to watch the conduct of the vote. These amendments were defeated, Cavour insisting that party feeling was running too high in Nice to make delay advisable, a defense in all probability not altogether disingenuous. The tone of Lubonis' proclamation was also savagely criticized in the Chamber, and the justice of the attack was admitted by the government. Certainly there could be no defense of its utter lack of neutrality. Every phrase had been framed with the purpose of insistence on the inevitable character of the cession and the desire of the King that it should be carried out. Lubonis had explicitly urged a vote of affirmation of the treaty.[1] Malaussena, the syndic of Nice, whose name, like that of Lubonis, had appeared on the protest of the 21st of March, in his manifesto published on April 8, used language as unneutral and pro-annexation in tone as that of Lubonis.

By the decrees of the governor and of the syndic the polls were to be opened in each commune of Nice and its district on Sunday, April 15 and on Monday the 16th, from nine to four. The vote was to be by written or printed ballots with the word " yes " or " no." All male citizens over twenty-one, belonging to Nice by birth or origin and living in the commune for the last six months, were given the right to vote. Latitude as to the period of domicile was allowed those away from the city but known to be Niçois and returning to vote. The compilation of the electoral lists was entrusted to a committee in each commune composed of the syndic and four municipal councillors. This committee was all-powerful. Not only were its decisions to be final, but the unusual provision was included that the committee should, without waiting for applications, transfer from the old lists the names of any who were known to have the right to the vote in this election, whereas others were to present themselves before the committee. This provision naturally gave rise to charges of partisanship which were probably well merited, for it was in this way made only too easy for the committee to inscribe French sympathizers without application and to insist that the anti-annexationists must register in person.

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[1] See Proclamation of the Governor Regent of the City and County of Nice. Documents, *post*, p. 574.

The French government had sent a commissioner to Nice, as well as one to Savoy, to watch over the preliminary arrangements and to see that the interests of France were protected, a measure which though surely legitimate, has also been made a subject of reproach.

The vote was held in Nice and the district on the days appointed. The official figures are 25,743 affirmative votes, 160 negative, and 30 void. The results were overwhelmingly for France. Even the soldier vote had gone for France by a large majority.[1] There is small wonder that there has been scepticism as to the returns, and, indeed, they must have been tampered with, if the assertion is correct that, in Levenzo, 74 more votes were cast than there were voters, an assertion made in the Italian Chamber on May 25 by Laurenti-Rabaudi, and not denied. The official returns naturally do not show this discrepancy.[2] This is the only specific accusation of the kind, however, nor is it necessary to consider it as proved, although Fusinato, in writing of the plebiscite, repeats the statement as to Levenzo and admits that the charges made by Laurenti-Rabaudi and the other opponents were for the most part true. But, he adds, on the other hand, it is necessary to agree that in the face of such a unanimity of votes it is not possible to admit that those illicit schemes alone were powerful. " If it were so," he says, " those populations were so utterly corrupted as to make us almost glad that they were torn away from our nation." [3]

The points made in defence of the vote of Nice by Cavour as President of the Council in his several speeches before the Sardinian parliament are of varying conclusiveness.[4] His picture of Nice as a French city he afterwards admitted to have been contrary to his own convictions. The impropriety of the acts of Lubonis he acknowledged from the first. The argument that whatever pressure the civilians were under in Nice, the soldiers, who were not in one organization but were scattered throughout the Italian forces, had been under precisely the opposite influence, namely, that of their Italian companions, merely suggests that their officers had exercised pressure. The opportunity to lessen their term of service with the army from the eleven years required by Sardinia to the seven required by France, must, however, have played a great part in their decision. Aside from the vote of Levenzo the reproaches most often heard are that Lubonis and the bishop exerted all their eloquence, the bishop asserting that it was the will of God that they vote for union, and Lubonis insisting that it was also the desire of the King. With a loyal and Catholic community these arguments may have had great weight, but can scarcely be regarded as rendering a vote by secret ballot valueless. There is probability that the French offers of development of the city as a pleasure ground and the prospect of other benefits from annexation played their part — and a legitimate part. The assertion that there were French troops in the district at the time of the vote seems unfounded. In view of the apparent content of the population of Nice with their fate, and the scarcity of proof to support the assertions so hotly made, it is arguable that these have been exaggerated by the several Powers and parties whose interests were involved and too easily credited by those who distrust universal suffrage and the doctrine of national self-determination.

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[1] The figures given out on April 28 gave 1200 for union and only 186 against. Documents, *post*, p. 597. According to the census of 1858 the total population of the city and county of Nice numbered 246,731. Of these 122,421 were male. *Statistica del Regno d'Italia*, Popolazione, Censimento degli antichi stati Sardi, January 1, 1858.

[2] Documents, *post*, p. 614 and table on pp. 423–5.

[3] *Fusinato*, p. 113.

[4] Documents, *post*, pp.435–443.

The vote of Savoy was held a week later than that of Nice. The provisional governor of Chambéry, in a circular of rather more seemly unneutrality than those of Lubonis, had announced on April 7 that the polls of Savoy would be open on Sunday, the 22nd, from 8 A. M. to 7 P. M. for a vote on the question: "Does Savoy wish to be united to France?" The suffrage was given to all citizens over twenty-one, born in Savoy, or of Savoyard parents out of Savoy, who were in enjoyment of civil rights and had lived in the commune for over six months.[1] The registration lists based on the census and tax lists were to be drawn up by communal committees composed of the syndic and the four senior members of the giunta, and were to be posted by April 15, at latest.[2] On the 9th this proclamation was supplemented by one wholly unneutral in tone, addressed to the syndics of the district of Chambéry, urging them to explain to their subordinates that the choice was no longer between France and Sardinia, but between France and an unknown fate. The Intendent Regent of Faucigny issued a similar circular pointing out that there was no question of union with Switzerland involved in this vote and that a negative vote would not advance such a desire. The various

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[1] Cf. Documents, *post*, p. 585.

[2] By a later proclamation, it was provided that agents should visit all houses of the commune in order to enter the names of all the inhabitants not on the census and tax lists.

Sardinian officials still left in Savoy used their influence also for annexation, if one may judge by the action of Graglia, the royal commissioner of education, who wrote to the governor regent of Annecy begging him to instruct the people to give an enthusiastic endorsement to the union.[1] It is said that the circular issued by the governor of Annecy, in order to reconcile the electors of Chablais and Faucigny, permitted them to substitute *France et zone* for the simple affirmative.[2] Most of these circulars were intended to carry some suggestion that the vote was a mere form and the cession a foregone conclusion and yet they warned against staying from the polls on that account.

The conservatives, through their deputation to Napoleon, had protested against a popular vote of any kind. When the proclamation reached them they were aghast at the news of the proposed adoption of manhood suffrage, and protested to Napoleon that they had not the time to work with the masses, that the syndics and the reds, who were well organized, would easily offset the new administration of Savoyard conservatives who would be without funds, arms, or time, and who lacked leaders of experience in directing propaganda.[3] They returned at once from Paris and set about forming committees throughout Savoy to prepare for the vote. On April 12 the central committees which they had formed at Chambéry and Annecy sent circulars to all the syndics offering help in seconding the governor's efforts for a big vote for annexation and promised in particular to send French flags to all the communes where wanted, and urged union of all parties in support of annexation. Following this advice, in some places, notably in Tarentaise and Maurienne, the two parties fused and worked together for annexation.[4] Not all the radicals were willing to give up their desire for the liberal Italian rule, however. The red newspaper, the *Gazette de La Savoie,* raged.

The great doubt was as to Chablais and Faucigny. The conservatives said it was necessary to place these provinces in a position where material interests would not be harmed by annexation to France. Though the Emperor had assured the Savoyard deputies that a zone would be granted, the Swiss agents were busily sowing doubts in the minds of the peasants as to the value of Napoleon's word, which was not yet embodied in official documents. In answer to the conservatives' plea to send an agent to counteract this, Napoleon sent Senator Laity to explain the French intentions as to the zone. He arrived on April 4 and with his suite travelled through Savoy until April 28, giving particular attention to Chablais and Faucigny. Everywhere he was received with the greatest enthusiasm.[1] He was accompanied by a group of engineers to inspect the needs of the country, of which the Savoyard deputation to Paris had spoken, and to draw up projects on a grand scale for tunnelling the mountain passes as they had desired. This mission, with the many inducements which it offered for union with France,[2] went far to counteract the Swiss propaganda, in spite of the Swiss money which was reported to be plentiful in the northern provinces.

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[1] *Grivaz, op. cit.,* p. 582, gives the text.

[2] *Trésal,* p. 258. Grivaz makes the same statement giving the article. No text of the original can be found. The Circular of the Intendent Regent of Faucigny, *q. v.* in Documents, *post,* p. 591, does not mention *France et zone* as a possible form of vote, though it gives assurance that the zone is included in the vote for France. This was unnecessary as the promise of the zone had been made previously to the vote.

[3] *Trésal,* p. 251.

[4] *Ibid.,* p. 260.

The vote took place on the 22nd and 23rd of April. Contrary to the assertion commonly made, it appears that though French troops had been stationed in both Nice and Savoy, and had been constantly passing through on their way from Italy, where they had been kept some time after peace had been signed, the authorities had taken care to remove them before the voting.[3] The vote is said to have taken place with enthusiasm. The electors of the country districts marched in procession, the syndic at the head, carrying French flags blessed by the priests, the procession beating drums and crying, "*Vive la France. Vive l'Empereur.*"[4] In the towns they marched by trades and fraternities. The women, too, made known as well as they could, their desire for the union. Trésal, commenting on the accounts in the journals of the day, says it is obvious that the vote was a tremendous ovation for France and that it was a religious as well as a patriotic vote. The Swiss party in the northern provinces made no sign. At Bonneville, a centre of Swiss agitation, the vote was without disturbance and particularly solemn.

On April 29 the Court of Appeal of Chambéry, whose duty it was to verify the votes of the whole of Savoy and to add them together, published the official result of the vote.[5] 130,533 had voted for union with France and only 235 against. 71 ballots were void.[6] The soldier vote, counted separately, resulted in 6,033 votes for France, 282 against the change in sovereignty and 34 void.[7] The anti-annexation party claimed that all abstentions should be counted as negative. It appears, however, that each commune kept a careful list of the reasons for abstention, whether through illness, absence, or unwillingness to vote.[1]

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[1] *Trésal,* p. 264.

[2] For the arguments used by the French mission, see Cavour's speech before the Sardinian Chamber. Documents, *post,* pp. 440 *et seq.*

[3] Saint Genis and Trésal agree than the Piedmontese soldiers were no longer in the country, and the Savoyard militia were alone charged with the keeping of order.

[4] *Trésal,* p. 274.

[5] Documents, *post,* pp. 427–8.

[6] The total population of Savoy in 1858 was 543,098. Of these 265,775 were males. *Statistica del Regno d'Italia.*

[7] *Trésal,* p. 276. According to Saint Genis, this soldier vote was reported later and should be added to the official result.

There is no case of a plebiscite more energetically attacked by writers than these votes of Savoy and Nice. The main indictment advanced against the votes of Savoy and Nice is the same, namely, that the vote was a mere form, the cession having been already determined on and the treaty signed. Grivaz, one of those attacking it at length, says that to say the cession depended on the vote is ridiculous for the treaty was signed on March 24 and all the journals spoke of the cession as inevitable. Pradier-Fodéré asks whether the two monarchs would have torn up the treaty had the vote been negative, and answers *No.* Stoerk says it is evident that the cession was not conditional on the plebiscite from the reasons given by the Emperor for the cession, namely, that it was because of the necessity of safeguarding the frontiers and of maintaining equilibrium.[2] Grivaz insists that there must have been a party against annexation for the country was noted for its loyalty and there was at least a respectable minority in March. How could they have disappeared by April, unless it was because they felt the hopelessness of any opposition, and that the choice was between a France which wanted them, and a Piedmont which wanted them no longer? Grivaz asserts that Cavour did what he could politically to bring it about by both appointments and influence. Rouard de Card, Bourgeois, Trésal, Saint Genis and Heimweh all defend the vote of Savoy, the latter saying, however, that it is to no purpose to undertake a proof "which will not change the opinion of the gallophobes of the Triple Alliance."

The arguments of the opposition are no doubt true in part. Certainly the officials had done all in their power to give an appearance of the inevitable to the cession. As for the treaty, it was especially provided that it should not be valid until ratified by parliament, and it was not ratified until after the vote. Napoleon, Victor Emanuel and Cavour all gave repeated assurances that they would abide by the plebiscite. What their course would actually have been had the vote been adverse is a matter for speculation, not decision.

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[1] *Saint Genis,* p. 364, and *Trésal,* p. 276, put the voluntary abstentions at 647. Saint Genis gives the following analysis:

4610 abstentions
2709 absent
1254 infirm or ill
3963
647 voluntary,

out of which 157 were from one commune, half of which was in Switzerland.

[2] Grivaz, *Revue générale de droit international public,* vol. 3, p. 445; *Pradier-Fodéré,* vol. 3, § 857; *Felix Stoerk,* p. 130, cited by Grivaz.

It is possible that Cavour would have seized the opportunity to abandon the treaty. Certainly Napoleon, the champion of popular sovereignty, to which title he owed his throne, would have been in a position sufficiently embarrassing. It is noteworthy that the specific charges of pressure and corruption which were so freely advanced in the Italian Chamber against the vote of Nice were not urged against the vote of Savoy. There was no charge of manipulation of the ballots nor of any pressure other than moral. Surprisingly enough, there was scarcely any attack on the proclamations issued in Savoy as unneutral nor emphasis on the undoubted activity of the priests for union. In the final debates of May 24–27 in the Chamber the fact of the French nationality of Savoy was admitted by Rattazzi and the other critics of the government, and opposition to the cession was based on wholly different grounds, namely, those of historical claims and strategic value. The most spirited attacks on the conduct of the vote are to be found in Laurence Oliphant's articles from Savoy to the London *Times* which was, of course, in sympathy with the British Government's opposition to the cession. Oliphant had gone to Savoy to revive the waning resistance to the cession and to prevent a vote for the "blackguard Emperor." His evidence of lack of freedom of the vote in Savoy is largely frivolous, as examination of the *Times* articles shows,[1] nor are his generalities and inferences worth serious consideration.

It is apparent from the almost unanimous character of the vote for France that something more than the exhortation and argument of the Savoyard officials would be necessary to account for it. With a secret ballot, corruption, manipulation and imminent danger of general calamity would be necessary to provoke such a result against the popular inclination. Certainly there is no need of explaining the vote of Savoy by corruption, pressure or manipulation. The truth appears to be that in Savoy the already existing

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[1] See the London *Times,* April 28, 1860. The most convincing argument made by Oliphant is that the officials not only posted their own proclamations urging union, but would not allow anti-union posters to be posted. He also charges that French agents were carrying on propaganda — which was to be expected and was, if not accompanied by threats or bribery, a legitimate activity — and that the zeal of the authorities in satisfying their curiosity regarding the presence at the polls, without registration tickets, of two strange Englishmen, himself and his companion, showed that the vote was not free — a conclusion which is an apparent *nonsequitur.* He makes no suggestion of military coercion nor of direct bribery. Oliphant's efforts to stir up an opposition were hopeless, as he himself admitted. "There is not the slightest chance of a row," he wrote home, "the people are like sheep." It is evident that, apart from his opposition to Napoleon, he was not sorry to have a chance to ridicule the workings of universal suffrage. Oliphant had gone for adventure and "copy," as well as for a political purpose, and was determined to find it. "It is great fun to have another object than churches and picture-galleries," he wrote home. It is interesting to find that Garibaldi's interpellation of April 12 and the plan for breaking the ballot-boxes and forcing another election in Nice were attributed to him. Margaret O. W. Oliphant, *Memoir of the Life of Laurence Oliphant and of Alice Oliphant, his Wife,* vol. 1, p. 249 *et seq.*

French party had been greatly strengthened by the events which occurred immediately before the plebiscite. Already smarting under consciousness of a different origin, resenting administration from Turin, the sudden accretion of millions of Italians which had come to Piedmont through the votes of Tuscany and Emilia made the Savoyards, never enthusiastic over the Italian war, fearful of being completely submerged in the new kingdom. The French promise of a zone and of capital to carry out the material developments which Savoy so sorely needed, and which have served to double her wealth, furnished the economic argument. To the strong Savoyard national pride, the fear of dismemberment of the northern provinces was sufficient of a patriotic argument. Fear of Cavour's anti-clerical policy united the nobles, lawyers and priests, who, in that somewhat patriarchal society had great influence over the peasants. It is significant that although, ten years later, opportunity to escape from French allegiance presented itself with the Franco-Prussian war, there appears to have been no movement of such a nature.

### *Sicily and Naples,* 1860

The republicans, the ground cut from under them in Northern and Central Italy by the votes of Tuscany and Emilia, had turned to the provinces of the Marches and Umbria which were still under papal rule, and to the kingdom of the two Sicilies, where the Bourbons still refused a constitution. In conjunction with local leaders Mazzini's agents, Rosalino Pilo and Francisco Crispi, had planned a revolution in Sicily which, early in April, had become an open revolt of such proportions as to induce Garibaldi to put himself at the head of the expedition in its aid.

It is unnecessary to enter here on the tangled web of diplomacy which followed or on the picturesque adventure of Garibaldi's Thousand. On May 14, having landed at Marsala, Garibaldi, from Salemi, proclaimed himself Dictator "on the invitation of noted citizens, and the deliberations of the free communes of the Island."[1] By the end of July the whole island, with the exception of Messina, was in his hands.

There were four parties in Sicily, autonomists, republicans, Sardinians and Bourbon sympathizers. Desire for autonomy, which was largely desire for freedom from Neapolitan domination, was a political tradition. Illiteracy was high and, except for the brief period in 1848, Sicilians had had no experience in self-government.[1] The strength of the new party for union with Sardinia was uncertain, though it was evident that it was fast increasing with the successes in northern Italy. The plan of the republicans was to delay the decision of the question of the political future of Sicily until Rome and

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[1] Documents, *post,* p. 620.

Naples were free. Though both Sardinians and republicans had supported the expedition, Garibaldi was a republican at heart, and the republicans looked on the expedition as their own.

Cavour, through fear of a republic of southern Italy, as well as for diplomatic reasons, was anxious for immediate annexation. For this purpose he wished a vote to be taken at once. Garibaldi opposed such action on the ground that it would interfere with the expedition to Naples. This division of counsel lasted through June, the republicans in their propaganda against union earnestly appealing to the ancient Sicilian love of autonomy. On June 23 Garibaldi yielded so far as to publish an elaborate electoral law, establishing universal suffrage, excluding only religious orders, condemned criminals, and those under punishment for crime and misdemeanors,[1] and offering alliance with Sardinia, a solution which appealed to France and Great Britain who both preferred the autonomy of Sicily to further union.[2]

Preparations for the Neapolitan expedition were now under way. On July 22, Garibaldi named Depretis, an agent of Cavour, as pro-dictator of Sicily, and as a final act caused the Sardinian constitution to be proclaimed on August 3. On August 20, Garibaldi landed on the mainland and began his triumphal march to Naples, which he entered on September 7.

In Naples there had been far less desire for union with Sardinia than in Sicily[3] and the Bourbon placemen could be counted on to oppose it vigorously. The feeling for autonomy was strong and to this the republicans addressed themselves. The diplomatic reasons for Cavour's desire for immediate annexation were increasing, while the republican policy of delay appeared to be gaining headway with Garibaldi's increasing successes. Efforts to forestall Garibaldi by a revolution in Naples were futile. The army and civilians were deserting the Bourbons in vast numbers, but the people were too enervated by Bourbon misrule to stir. Garibaldi's reception on entering Naples on September 7 was one of wild enthusiasm. Bourbons, republicans, nationalists, police, national guards and clericals, all joined in the demonstration. The victories of the Piedmont troops over the papal forces and Garibaldi's triumphs over the Bourbons soon disposed of all resistance. Alarmed at the growth of republican prestige, Ricasoli and the other Sardinian leaders urged on Cavour immediate annexation by a declaration of parliament. Tempting as was this solution, Cavour refused to abandon his policy of basing the Sardinian title on a popular vote.[4]

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[1] *Le assemblee del risorgimento,* vol. 15, p. 1011, for text.

[2] England had, however, signified that she would abide by a popular vote in Naples as she had in Central Italy. Villamarina to Cavour, April 4, 1860, *Chiala,* vol. 4, p. cxxxv.

[3] *Ibid.,* vol. 4, p. cxxxv, Villamarina to Cavour.

[4] It was proposed not only that parliament declare that all of Italy belonged to the kingdom but that parliament should surrender its power to the King who should be made a dic-

The situation was brought to a head by the increasing acuteness of the struggle in Sicily where Depretis, the pro-dictator, was working for a plebiscite and Garibaldi opposing it. Depretis resigned and the struggle was taken by Cavour to Parliament where on October 2, after announcing the situation in Sicily and Naples and the revolt in Umbria and the Marches, he laid his policy of popular consultation before the Chamber and asked for a vote of confidence.[1] There could be no clearer statement of repudiation of title by conquest or devotion to the principle of self-determination than this made by Cavour. After protracted discussion the government's bill passed the Chamber by a vote of 296–6 and the Senate by a vote of 84–12, the opposition being largely from the clericals, although this measure meant the annihilation of the revolution.

On October 5th, Mordini, the new pro-dictator of Sicily, working with the autonomists, issued a decree convoking the electors not for a plebiscite but to choose delegates to a representative assembly, hoping by means of the delay consequent on this method to stave off annexation. The primary assemblies were convoked for October 21. The attempt to interpose an assembly was repeated at Naples by Crispi, the leader of the republicans. Pallavicino, the Neapolitan pro-dictator, was for a plebiscite, Garibaldi supported Crispi; Pallavicino resigned. The next morning the city was strewn with white slips marked " Yes " and memorials supporting Pallavicino were signed by citizens and National Guards. When Garibaldi saw the strength of the popular demand for a plebiscite he yielded. Almost simultaneously news was received of Cavour's victory in parliament.

Pallavicino was restored to office and, on October 8, issued a decree calling the people of the continental provinces to meet in primary assemblies on October 21, the day already set for the elections in Sicily, in order to accept or reject the following " plebiscite ": " The people wish Italy, united and indivisible, with Victor Emanuel as Constitutional King, and his legitimate descendants." The qualifications for suffrage are the same as those of northern Italy, for here where the rate of illiteracy was far higher than in the north, it was even more essential to omit a literacy qualification if a real expression of the popular will was desired. The rate of illiteracy in Naples was, however, not so high as that in Sicily, where only one in ten could read and write.

tator until all Italian questions were settled. To this Cavour answered that the sympathies of liberal Europe would be sacrificed as well as the legal liberty which he wished to be the inseparable companion of the independence of the nation. (Cavour to Salvagnoli, October 2, *Chiala,* vol. 4, p. 23.) " I am a son of Liberty, and it is to her that I owe all that I am. If it be necessary to put a veil upon her statue, it will not be for me to do it," he wrote, and again, " The parliamentary road is longer, but it is more secure." (Cavour to the Countess Anastasia de Circourt, *ibid.,* p. 25.)

[1] Documents, *post,* p. 623.

Hoping to forestall a demand for a plebiscite in Sicily, Mordini, on October 9, convoked the Sicilian Assembly for November 9, but Garibaldi, having yielded in Naples, abandoned the plan of the assembly in Sicily and caused a proclamation similar to the Neapolitan one to be issued there on October 15. By this proclamation the assemblies already convoked for the 21st were to cast their votes, not for representatives as first planned, but directly on the question of union.[1] Then, unwilling that the royal title should be based wholly on a plebiscite and without formal recognition of his agency, Garibaldi, on the same day, issued another decree announcing the union of the two Sicilies with the constitutional kingdom of Victor Emanuel.[2]

The votes were held in both Naples and Sicily on October 21. The result was overwhelmingly for Sardinia, although the conditions surrounding the vote of Naples and the continental provinces were attacked with bitterness by those opposed to the result, and to some extent with reason. The question of whether order or anarchy reigned in the city of Naples was a matter of controversy. Disorder and violence of party feeling were to be expected as a legacy from the Bourbon rule. Although the Sardinian troops did not enter Naples until October 29, and Victor Emanuel had, from Ancona promised to defend the right of the people to legally and freely manifest their will, it was inevitable that the authenticity of the vote, taken as it was under Sardinian auspices, should be contested. In at least some of the country parts there appears to have been disorder. On October 27 Elliot reported a movement in favor of the Bourbons, about Isernia. It was supported chiefly by the peasants. Such attempts to restore the Bourbons were being ignored by the press and concealed by the authorities.[3] The republicans had been dealt a severe blow by Pallavicino who had suppressed the political clubs. Money and ships had been sent by Sardinia. It is asserted that the authorities clapped the reactionaries in prison, thus depriving the plebiscite of value. Intrigue was everywhere. The criminal classes were quick to make the most of the opportunity offered them by an interregnum and it was doubtless the desire to restore order and prosperity which won the support of the several parties to the cause of annexation.[4]

That there were suggestion and intimidation there is no doubt, and the method of voting whereby the elector must choose his ballot from one of the baskets under the public inspection doubtless aided in bringing pressure,[1] yet no coercion could account for the almost unanimous result.[2] The figures, as announced by the Supreme Court on November 3, were 1,302,064 votes for union and 10,312 against, which, according to figures forwarded to the British Foreign Office represented a vote of 19 per cent. of the population, a figure only slightly less than those of Tuscany and Emilia.[3]

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[1] Documents, *post*, p. 635.

[2] *Ibid., post*, p. 637.

[3] *Parliamentary Papers*, Affairs of Italy, 1861, vol. 67 [2757], p. 134.

[4] Elliot, the British Minister at Naples, in a dispatch to Lord John Russell says that "many would wish autonomy if secure from the return of the Bourbons, but are obliged to vote in either the affirmative or the negative, and, to escape continued disorganization, many who are separatists at heart will give the affirmative vote." *Parliamentary Papers* [2757], p. 115.

The vote of the mainland provinces was presented by Pallavicino to Victor Emanuel, on his entrance into the city. He acknowledged it by a proclamation to the Neapolitan and Sicilian peoples which read, " Universal suffrage has given me the sovereign power over these noble provinces,[4] and in the royal decree of annexation of December 17 the plebiscite was again referred to as the basis of title.

The result of the plebiscite in Sicily was equally decisive, there having been 432,053 yeas and 667 nays.[5] The result gave rise to far less discussion than did that of Naples, for Sicily had been much more evidently disposed to union, as Sardinian observers had agreed in April.[6] Here, too, desire for a stable order had won over the opponents.

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[1] Elliott to Russell: " In fact, both the terms of the vote and the manner in which it is to be taken are well calculated to secure the largest possible majority for the annexation, but not so well fitted to ascertain the real wishes of the country." He admitted, however, that the annexionists were by far the strongest in numbers. *Parliamentary Papers* [2757], p. 115.

[2] *Fusinato,* p. 133, quotes *Stoerk,* p. 127, to the effect that 3,000 Neapolitan women presented themselves at the polls to vote for union. There is no evidence that their vote was counted.

[3] " According to an analysis published here of the votes upon different occasions in which appeal has been made to universal suffrage, the votes given have been in the following proportion to the population of the countries: —

| | | |
|---|---|---|
| In France in 1848 | 21.28 | per cent. |
| " " " 1851 | 53.19 | " " |
| " " " 1852 | 23.25 | " " |
| Tuscany | 21.17 | " " |
| Emilia | 20.09 | " " |
| Naples | 19.17 | " " |

Though the numbers who have here taken part in the vote may be considered rather small, the proportion of affirmative to negative votes amounted to no less than 99.21 per cent., which is greater than in any preceding instance, except in the Emilia, where they amounted to 99.64 per cent. of the votes recorded. Elliott to Lord J. Russell, Naples, November 10, *Parliamentary Papers* [2757], p. 161.

The population of the Neapolitan Provinces in 1861 was 6,787,289. *Statistica del Regno d'Italia.*

[4] Documents, *post,* p. 649.

[5] The formal minute of the vote of Sicily recites that many votes were declared void, through improper phraseology, and that the votes of Ustica and Mandanici were thrown out because there the populace had voted " without regard to age or sex." Documents, *post,* p. 644. The population of Sicily in 1861 was 2,392,414. *Statistica del Regno d'Italia.*

[6] *Chiala,* vol. 4, p. cxxxv.

The union, however, did not bring order at once either in Sicily or in Naples. After the union the autonomists, the reactionaries, and the republicans, the priests and the remnants of the Bourbon party in Sicily kept up a conflicting propaganda. Rivalry for political plums led to rivalry between the Mazzinians and the Garibaldians.[1] Brigandage flourished. Unification was difficult and the government had made itself unpopular. The climax was reached with the revolt of 1866 and the attack on Palermo. Since then there has been practically no separatist movement of any consequence.

### *Umbria and the Marches,* 1860

The unrest in the southern part of the peninsula had spread into the Marches and Umbria. The papal troops were about to suppress it. Cavour, alarmed at the republican direction of affairs in southern Italy, had adopted the policy of the military participation of Piedmont in the liberation of these States, forestalled the papal troops by sending a Piedmontese force to occupy the provinces and at the same time interpose a barrier between the " Redshirts " and Rome. On September 11 the Piedmontese army crossed the frontier, on the 18th the papal forces were crushed at Castelfidardo and, with the fall of Ancona, on the 29th, the two provinces were in the hands of Victor Emanuel.

Over each province the King had, on September 12, appointed a commissioner-general.[2] On October 21 each commissioner proclaimed a plebiscite for November 4 and 5 in his province, on the question of union with the constitutional monarchy of Victor Emanuel.[3] The provisions for the registration and vote are almost identical in the two decrees. Manhood suffrage was established as in the other provinces, with the usual qualifications of six months' domicile and no judical inabilities. The commissioners made no pretense of neutrality, but in supplementary decrees urged the union with eloquence. But the union needed no urging, and although there were armed Sardinian forces throughout the provinces there is little doubt but that the vote was a sincere one. The result as proclaimed with great formality by the chief court of each province was, in the Marches 133,783 for, and 1,212 against annexation, and in Umbria, 97,040 for, and 380 against.[1] The votes were formally presented to the King in the same manner as those of Naples and Sicily and the provinces were incorporated in the kingdom with the same formula.

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[1] *Thayer,* vol. 2, p. 434. The British minister at Naples wrote to Lord John Russell on November 16 that the measures incident to annexation were difficult to carry out owing not only to the great corruption of the country, but also to the fact that although the several parties had compromised on union with Sardinia in order to get rid of the Bourbons, there was no general desire for the success of the annexation and the paths were already diverging. He speaks of the humiliation of the autonomists at the provincial status of the country as a matter of some moment. *Parliamentary Papers* [2757], p. 177.

[2] Documents, *post,* pp. 655 and 656.

[3] Documents, *post,* pp. 657 and 665.

Cardinal Antonelli sought by energetic protests to awaken the Catholic countries in the interests of the Holy Father. In a letter of November 4, he said it was not a question of the conditions surrounding the vote, but the vote itself. He condemned the politics of Sardinia in seeking to introduce a principle eminently revolutionary and destructive of legitimate sovereigns.[2] But much as this argument appealed to Austria and Prussia, it was of no avail against the overwhelming testimony of the vote itself. The protest of Lord John Russell was of another order. On October 27 he had won the adoration of the Italian patriots by defending, against the protests of Austria, France, Prussia and Russia, the action of Sardinia in support of the Sicilian and Umbrian expeditions, taking the ground that the people of the Roman and Neapolitan States were the best judges of their own interests.[3] He required, however, that that judgment should be clear and free from pressure. In a letter to Hudson on January 21, he says that the votes of Naples, Sicily, Umbria and the Marches, cast by universal suffrage, had no great value in the eyes of the British government, as they were nothing but a formality following upon acts of popular insurrection, or of successful invasion, and did not imply in themselves any independent exercise of the will of the nation in whose name they were given. He, however, waived further objections, should representatives of the several different Italian states convoked for February 18 by a deliberate act constitute those States into one State. "When the formation of the State shall be announced to Her Majesty," he wrote, "it is to be hoped that the Government of the King will be prepared to show that the new monarchy has been erected in pursuance of the deliberate votes of the people in Italy and that it has all the attributes of a government prepared to maintain order within and relations of peace and friendship without." [4]

On February 18 the first Italian Parliament met in Turin, and, on February 26 gave the sanction desired by Lord John Russell. Victor Emanuel was voted King of Italy by a vote of 129 to 2 in the Senate and 292 to 1 in the

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[1] Documents, *post,* pp. 667 and 670. The population of the Marches in 1861 numbered 883,073. That of Umbria was 513,019. *Statistica del Regno d'Italia.*

[2] *Archives diplomatiques,* 1861, part 1, p. 93.

[3] *Parliamentary Papers* [2757], p. 125.

[4] *Ibid.,* Affairs of Italy, 1861, vol. 67 [2804], p. 1. Cavour in a letter to Azeglio at London from Turin, March 16, chose to construe this as a question of the principle of universal suffrage and not of the conditions surrounding the vote. *Ibid.,* p. 3.

Chamber. The royal title was declared on March 17 to be "Victor Emanuel, King of Italy, by the Grace of God and the will of the nation." [1]

The new kingdom was recognized by Great Britain within a fortnight and by France some three months later. The other Powers, though protesting the lack of validity of a sovereignty based on universal suffrage, could do no less than follow.[2]

### *Venetia,* 1866

Cavour died on June 6, 1861. By his statesmanship all of Italy had been united save Rome and Venetia: in the further movement towards Italian unity the policy he had made his own was undeviatingly followed.

The foreign aid necessary to gain Venetia came in 1866, when Bismarck, in order to obtain Italy's support against Austria in the Schleswig-Holstein matter, promised Venetia to the Italians.[3] On July 5, after the defeat of Königgrätz, Austria, accepting Napoleon's mediation, ceded Venetia to him with the understanding that it should be handed by him to Italy. Napoleon then induced Prussia, without consulting Italy, to sign a separate armistice with Austria. Italy was thus forced to sign one also, a bitter disappointment, for it meant that Garibaldi must evacuate the Trentino.

The treaty by which Austria ceded Venetia to France was signed on August 24.[4] It is said that Napoleon endeavored to insert a clause providing for a plebiscite to carry out the tacit understanding as to the making over of the kingdom to France, but that the Austrian Emperor again refused, as he had done in the case of Lombardy. Ricasoli, now Prime Minister of Italy, was bitterly opposed to accepting Venetia as a gift from France. Rather than suffer such a humiliation he preferred to continue the war. He was induced, however, to sign the armistice on the basis of *uti possidetis,* but insisted that France agree to the stipulation that Venetia should come to Italy without dishonorable conditions and after a plebiscite. This would enable Italy to base her claim on the will of the people, and not on the generosity of France. Napoleon, accordingly, promised to cede Venetia to Italy under the reservation of the "consent of the people duly consulted," a reservation which the Austrian Emperor, inconsistently enough, allowed to be mentioned in the preamble of the treaty of peace signed between Austria and Italy on October 3.[1]

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[1] *Archives diplomatiques,* 1861, part 2, p. 100. *Le assemblee del risorgimento,* vol. 1, pp. 800–802.

[2] On the assumption by Victor Emanuel of the title of "King of Italy" in 1861, protests, reserving their rights, were issued by the Duke of Modena on March 30 from Vienna, by the Duchess Regent of Parma on April 10 from Switzerland, and by Francis II of the Two Sicilies on May 6 from Rome. *Archives diplomatiques,* 1861, part 1.

[3] The Trentino was refused as being comprised in the territory of the Germanic Confederation. It is said, however, that Bismarck made answer that what could be stipulated before war might become possible during or after it, and urgently suggested that the people should demand a plebiscite. *Le assemblee del risorgimento,* vol. 2, p. 1, quoting from Genova di Revel, *La Cessione del Veneto,* p. 5. Revel was the Italian commissioner in Venetia.

[4] Documents, *post,* p. 679.

On October 19, General Lebœuf, representing Napoleon, formally delivered Venetia over to a commission representing the province. The delivery occurred at eight o'clock in the morning and under conditions which point to a desire on the part of the Emperor to prevent any public demonstration. Lebœuf, after a statement of the devotion of Napoleon to the right of self-determination, declared that Venetia was now mistress of her own destinies, in order that the people should freely express their wishes on the subject of the annexation of Venetia to the Kingdom of Italy.

According to understanding the vote was to be taken under the direction of the Venetian municipal bodies without direction from the Italian government. On the same day of the delivery, however, a royal decree was promulgated convoking the electoral assemblies and providing minute regulations for the conduct of the vote.[2] This appeared to be a denial of the agreement with France whereby the municipalities were to draw up their own regulations and accordingly called forth a protest from Lebœuf. The French were, however, satisfied by the explanation that the decree was unofficial in character and was meant rather to serve as a model which the municipalities might follow, than as a form imposed. The decree was, of course, followed minutely. There was no further interference by the Italian government. The administration of the vote was in the hands of the municipal officials who were those elected in the previous May, while Venetia was still in Austrian hands.[3] The provisions of the decree are similar to those of the previous plebiscites.

The plebiscite was held on October 21 and 22 without event. There was no doubt of the result. Out of the 647,315 voting, 69 voted "no" and 371 votes were void. The result was such a foregone conclusion that the fact that the province had been erected into a military department a few days before the vote had no significance as affecting it.

The result was published by the Court of Appeal sitting in special session in the Doges Palace,[4] and, on November 4, the votes were formally presented to the King at Turin by delegates from the municipalities. He received the delegates in state, accepted the votes, and by royal decree, "in view of the result of the vote of the citizens," incorporated the provinces of Venetia and Mantua in the Kingdom of Italy.[5]

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[1] Documents, *post,* p. 681.

[2] Documents, *post,* p. 686.

[3] *Le Assemblee del risorgimento,* vol. 2, p. li.

[4] Documents, *post,* p. 694.

[5] Documents, *post,* p. 701.

### *Rome,* 1870

Another four years went by before Rome could be added to the Italian union. Guarded by French troops and protected by an agreement between Napoleon and Italy, the Temporal Power was secure for the time being. The opportunity came, however, with the Franco-Prussian war of 1870.

The French troops were withdrawn in July. On September 11 General Cadorna in command of the Italian forces entered the papal territory with sixty thousand men and advanced without opposition to the walls of Rome. Here there was a show of resistance, the Pope wishing to appear to yield only to force. A breach having been made in the walls, he ordered the resistance to cease, and on September 20, Cadorna, followed by thousands of Roman exiles, marched into the city.

Cadorna, on the day after his entrance, had issued a proclamation promising that the question of future sovereignty should be decided by a free vote of the inhabitants of Rome and its provinces. The Italians, wishing to give every appearance of freedom, had ordered that in each province and commune giuntas should be erected, which should have charge of the administration of the plebiscite. These giuntas were to be convoked by the military commanders placed over the provinces. The military officials were to merely lend their influence toward the establishment and prestige of the giuntas and to aid in giving them a common form.[1] There were in Rome three parties: those loyal to the papal government; the republicans who were still mindful of their success under Mazzini and Garibaldi in 1848; and the party for union with the Kingdom of Italy. Immediately on Cadorna's entrance the republicans at once became active. On the next day a great assembly called by the republican leaders met in the Coliseum and elected a giunta of forty-two persons, which was superseded, however, by another and smaller one, appointed on the same day by Cadorna. Practically all of the eighteen names on Cadorna's giunta had been included in the forty-two selected by the republicans but the republican leaders had been omitted.[2] In spite of its origin this second giunta did not exhibit the quiescent obedience which was, perhaps, expected, but protested against both the administrative officials and the wording of the vote for the plebiscite which was sent from Florence.[3] The formula which had contained a guarantee of the independence of the Pope having been changed to that used in the other plebiscites, the vote, by a decree of September 29, was fixed for October 2.

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[1] Raffaele Cadorna, *La liberazione di Roma,* p. 232.

[2] Documents, *post,* pp. 705 and 706.

[3] Dispatches of Mr. Jervoise to Earl Granville, Documents, p. 535. Florence was at that time the capital of Italy.

The vote was to be by universal suffrage. The list of accredited voters was to be furnished by the priests and by the presidencies of Rome. The further provisions of the decree are similar to those of the other plebiscites. It appears that the ballots were to be distributed before the voting, possibly to obviate the criticism brought against the vote of Naples and Sicily.

The final registration was put in the hands of a special committee of twelve which was to appoint sub-committees to preside at the registration booths and there verify the claims of the registrants and furnish them with certificates as electors. Rome was divided into sections for both registration and vote. In the provinces the vote was taken in each communal headquarters.

There are two stories with reference to the vote of Rome. The Italian version is that the vote was a spontaneous expression of national enthusiasm. The *Gazzetta ufficiale* of Florence for October 3rd gives dispatches containing accounts of the vote in the different towns. The lame and sick, it reported, were being carried to the voting places in Viterbo and Rome. The tradesmen and craftsmen were marching with bands and flags to the polls. In Labrica the polls opened at 9 o'clock. By 10 o'clock more than one-half of the population had voted. In Terracina the National Guard and all the city officials marched in a body in which the clergy were represented. The order was perfect, the enthusiasm indescribable.[1] Cadorna, writing from Rome on the day of the voting gives a description of the scene there. " It is the day of the plebiscite," he wrote. " It is an admirable spectacle. The people, marching in bodies, have passed under the balcony with flags flying, acclaiming the King of Italy the liberator of Rome, on their way to the Campidoglio to deposit their votes in the urn. I have exerted not the least pressure. It will be a solemn plebiscite." [2]

The papal story is, however, far different. According to this version the support of the Italian cause was due to Italian money which was plentiful, and to the presence of the troops, which the papal authorities accused of looting and violence. Appearance of wide support was given by the numbers of returned émigrés and men from all parts, who had poured into Rome with Cadorna. The Pope had issued an order prohibiting all Roman Catholics from taking part in the election on the ground that participation would seem to authorize the invaders to question the sovereign right of the Papacy.[3] To balance the Catholic abstentions all absent Romans were summoned to return and the Italian authorities had forced the railways to give free transportation to any man presenting a certificate from a prefect attesting his status as a native of Rome. Countless Italians, born in all parts of the peninsula seized this opportunity for an excursion to the Eternal City, and only too easily secured registration cards with which they swelled the affirmative vote.[1] Contrary to the decree, those who had been under judicial sentence for crime were also registered,[2] they assert, while those known to be against the union were omitted.[3] Even camp-followers were allowed to vote and whole companies of Italian soldiers,[4] as well as boys under age.[5] As electoral certificates bore no designations as to district, and need not be surrendered on casting a vote, with one such certificate a man might vote in as many districts as he pleased, and many strangers availed themselves of the opportunity.[6] To calm the fears of the timorous that a vote for union would cause the Powers, and especially Prussia, to look with disfavor on Italy, copies of a spurious letter purporting to be from the King of Prussia to the Pope in which the King refused to aid in a protest against " his brother the King of Italy," were sold by thousands on the day of the election. Further propaganda of a nature most unfair to the papacy was carried on by means of posters which ridiculed the papal rule and misrepresented its policy.[7] Bribery and falsification of the returns is also charged. Had the plebiscite been honestly taken, however, the church would still have held it invalid on the ground that the people had no right to transfer their civil allegiance from the Pope.[8]

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[1] *Gazzetta ufficiale del Regno d'Italia.*

[2] Letter of Cadorna. *Le assemblee del risorgimento,* vol. 6, p. lxxxii.

[3] Count de Beauffort *Histoire de l'invasion des États pontificaux.* Rev. James MacCaffrey — *History of the Catholic Church in the Nineteenth Century,* vol. 1, 2d ed., p. 432. A Guggenberger — *A General History of the Christian Era,* p 340. Donat Sampson — *The Last Ten Years of the Temporal Power — American Catholic Quarterly Review,* vol. xxiv, p. 170. As most of the Papal historians make this statement, it is doubtless accurate.

It had been intended not to attempt to take a vote in the Leonine City but to leave it to the Pope. At the earnest desire of some of the inhabitants, however, Cadorna assumed the responsibility of placing in a neighboring district an electoral urn for the votes of the city.

The returns from the communes and the city of Rome were received by the giunta, verified, and proclaimed from the Capitoline stairs. In the whole

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They give no citations, however, and no trace of the document can be found in any of the usual collections. By the decree *Non Expedit,* of February 29, 1868, Pius had already forbidden Catholics to participate in parliamentary elections under the Italian government.

[1] *Der Italienische Raubzug,* p. 207. *De Beauffort,* p. 392. *Guggenberger,* p. 340. *Donat Sampson, op. cit,* p. 170

[2] *Der Italienische Raubzug,* p. 208.

[3] *De Beauffort,* p. 392.

[4] Rev. Richard Brennan. *Life of Pope Pius IX.*

[5] *Guggenberger,* p. 340.

[6] *De Beauffort,* p. 392.

[7] Letter of Cardinal Antonelli to the papal nuncios, November 8, 1870, *Acta Sanctae Sedis,* 1870–71, vol. 6, p. 216. Cf. also *ibid.,* Appendix V, p. 251.

[8] The whole Papal side of the Roman Question was set forth in the Encyclical Letter of November 1, 1870, entitled *Respicientes ea omnia. Acta Sanctae Sedis,* vol. 6, pp. 136–145.

The papal condemnation of transfer of allegiance had been repeatedly stated. Cf. espeterritory, it was announced, there had been 135,291 votes cast in favor of union and 1,507 against.[1] In Rome itself 68,466 had voted. Several of the commentators assert that it was a physical impossibility for so many votes to be cast in the time and with the facilities offered.[2] Owing to the papal interdiction, not a single negative vote had been cast in the Leonine City.

The presentation to Victor Emanuel of this last and crowning act of union was made with great ceremony on October 9. The King, surrounded by the royal suite, the Ministry, both houses of parliament, and the high military officials received the delegates from the Roman giunta, and those from each of the provinces. The King accepted the votes, declaring that they completed Italian unity and reconsecrated the foundations of the national pact,[3] and a royal decree, confirmed later by parliament, incorporated Rome in the kingdom " in view of the result of the plebiscite by which the citizens of the Roman Provinces have declared for union with the Constitutional Kingdom of Victor Emanuel II and his successors."

## Moldavia and Wallachia, 1857

The year 1856 marks not only the end of the Crimean War but also an innovation in international diplomacy. For the first time in history an international congress of great Powers, which had met to settle the future of a small, weak, and disunited people, postponed their action until they should have ascertained the desire of the people themselves, and, as a further innovation, they provided that this desire should be expressed by a vote taken under the supervision of an international commission.

The two Danubian Principalities of Moldavia and Wallachia, which now form the State of Rumania, although of the same racial texture, had from the beginning maintained a separate existence from each other, and had developed a separate history. In the Middle Ages the struggle for self-preservation

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cially the Encyclical of December 8, 1864. As for universal suffrage, Pius IX, in 1873, characterized it as " une plaie horrible qui afflige la société humaine . . . une plaie destructive de l'ordre social et qui mériterait à juste titre d'être appelée le *mensonge universel.*" Cf. " Le suffrage universel jugé par Pie IX," in the *Revue catholique des institutions et du droit,* 1874, vol. 3, p. 66. The quotation is from a speech of Pius to the French pilgrims on May 5, 1873.

[1] Documents, *post,* p. 715. The population of the Roman provinces in 1871 was 836,704, of which number 267,467 were males over 21. It is stated by a Jesuit writer that four months later a formal petition was signed by 27,161 Romans, born or legally domiciled, male, of voting age, and enjoying civil rights, stating that they remained faithful to the overturned government. Charles van Duerm, *Vicissitudes politiques du pouvoir temporel des papes de* 1790 *à nos jours.* p. 422. He cites *La lettre du pape et l'Italie officielle,* 64.

[2] Cf. article by John Francis Maguire, *Dublin Review, January,* 1871, vol. 16 (new series), p. 32.

[3] Documents, *post,* p. 720, *note.*

against the attacks of Turks, Hungarians, Poles, and Tartars had proved too great for the tiny Principalities. At last, in the 15th and 16th centuries, each, although Christian, had sought peace through the protection of Turkish suzerainty. In the Capitulations then entered on each had retained its autonomy, which included the right to make treaties with foreign Powers. The constant turmoil and intrigue consequent on the political jealousy of the contending claimants to the thrones of the Principalities soon furnished Turkey with an excuse for substituting princes of her own choice as governors, and the autonomy of the Principalities gradually became a name only.

The growth of Turkish power in the Principalities had awakened the alarm of Russia, intent as she was on the destruction of the Ottoman Empire and the control of the Bosphorus. To counteract the growth in Turkish influence, she had put redoubled vigor into pushing her claim to the championship of all the Christians of the East, and with such success that the Russian protectorate over the Principalities had been formally recognized by the Porte in a series of conventions ending with the Treaty of Adrianople in 1829. Turkish suzerainty, however, was still recognized by the payment of annual tribute and the right of investiture of the hospodars.

The unity of the Rumanian race had been a favorite doctrine of the Moldavian historians of the 18th century, but the movement had assumed no practical importance until the beginning of the 19th century, when the nationalist idea spread to the two Principalities from the Rumanians of Transylvania, who were held under Magyar and Hapsburg domination. Perpetuation of the separate existence of the Principalities had favored Turkish encroachment and had therefore been a cardinal tenet of the Turkish rule. Russia, willing to strengthen them against Turkey as well as hopeful of their eventually accepting a Russian prince, had shown sympathy with the unionist idea, and under the Russian protectorate the two Principalities had been given a joint administration. By the Treaty of Adrianople, it had been agreed that the internal constitution of the Principalities should be regulated by an organic act, to be drawn up according to the wishes of divans of the notables of each territory. In the final act, drawn up under the tutelage of Russia, confirmed by the Turkish and Russian governments and promulgated in 1834, were placed two articles expressing a desire for ultimate union.[1] This Organic Act, although a conservative document perpetuating the feudal structure of society, nevertheless paved the way for union by establishing the same laws for the two Principalities and a further step was taken, when in the forties the tariff duties between the two were suppressed. The revolutionary movement of 1848, although its primary object in Moldavia and Wallachia was the overthrow of Russian influence rather than union,[1] nevertheless gave the unionist cause a great impetus through the resulting banishment of the political leaders who, in their exile in western Europe and particularly in Paris, came in touch with the new spirit of nationality aflame among the liberals and, in their turn, by painting the sufferings of the Rumanian people, supplied to the generous spirit of those liberals an object for their sympathy. The most influential of these disciples of the Rumanian patriots was Napoleon III, whose devotion to the principle of nationality was at once enlisted in the interest of this eastern outpost of the Latin race.

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[1] ORGANIC ACT, SECTION 5, ARTICLE 425.— L'origine, la religion, les usages et la conformité de langue des habitants dans les 2 Principautés, ainsi que le besoin mutuel, contiennent, dès le principe, les éléments d'une union intime qui a été entravée et retardée par des circonstances fortuites et secondaires. Les avantages et les conséquences salutaires résultant de la réunion de ces 2 peuples ne sauraient être révoqués en doute. Les éléments de la fusion du peuple Moldo-Valaque sont déjà posés dans ce règlement par l'uniformité des bases administratives des 2 pays. *British and Foreign State Papers,* vol. 32, 1843–1844, p. 786.

Such was the situation in the Principalities when, in 1853, war broke out between Russia and Turkey. In the next year Great Britain and France made common cause with the Ottoman government and undertook the Crimean expedition. From the beginning the paramount aim of the allies was the abolition of the protectorate exercised by Russia over the three Principalities of Wallachia, Moldavia, and Serbia, and the substitution of the collective guarantee by all the Powers of the privileges of the Principalities, as well as the freedom of navigation of the Danube, the limitation of the Russian fleet on the Black Sea, and the cessation of the Russian pretensions over the other Christian subjects of the Porte.

To these terms, embodied by Great Britain, France, and Austria in the notes of Vienna of August 8, 1854, the Russian government acceded, but with an interpretation so far from the intention of the allies as to necessitate a conference. In preparation for the conference, and in order to obviate any further misconceptions, the three Powers, on December 28, sent to Gortchakov, the Russian Minister at Vienna, a memorandum explaining and amplifying the meaning of the original note, and discussing separately the four points at issue. Regarding the Principalities, the memorandum stipulated that the Russian protectorate must cease and that the details of their future organization which was to be guaranteed by the Powers, should be arranged later and in such a manner as to give " full and entire satisfaction to the rights of the suzerain Power, to those of the Principalities, and to the general interests of Europe.[2]

It was obvious that the first question of organization to be settled was that of union. France made every effort to induce the conference to endorse it. Not only was Napoleon III devoted to the principles of nationality and self-determination, but the embarrassment which such a union would hold for Austria, by stimulating racial aspirations in Transylvania and Bukowina, would also harmonize with French policy. The opposition, however, was a strong one. To Turkey, union portended the eventual independence of the Principalities from the suzerain Power. To Austria, it promised not only another rising in Transylvania, but also meant the failure of her ambition to gain economic control over the full extent of the Danube. The British Cabinet supported Turkey and Austria. At the opening session the first point of the preliminary memorandum was so developed, on the initiative of Austria, as to leave the details of organization to the Porte, an arrangement which would ensure the separation of the two countries.[1] For the same reason that Turkey, Austria, and England opposed the union, however, Russia strongly favored it and, as it was obvious that the hope of direct endorsement by the conference was futile, the Russian plenipotentiaries chose an indirect but equally sure method. At the second session, Gortchakov answered the Austrian proposal by a counter proposition to the effect that the wishes of the two Principalities should be directly consulted through representative divans, pointing out that this procedure was the more suitable as the Organic Act of 1834, which would necessarily be the subject of discussion, had been drawn up in similar fashion.[2] At the same time de Titoff, the second Russian plenipotentiary, presented a more formal proposal to the same effect, providing that the Porte should " in the first instance " consult the wishes of the country before determining the final provisions. In spite of the significance of the Russian proposal the opposition accepted it, and de Titoff's draft, with the omission of the words " in the first instance," was adopted by the conference with little debate.[3] At the sixth session the French plenipotentiary made a final effort to obtain a direct endorsement of the union, but discussion was prevented by the opposition of the British delegates. The negotiations were wrecked on the remaining point of the memorandum, namely, the guarantee of the integrity of the Ottoman Empire and the limitation of the Russian Black Sea fleet. The conference closed in June, and discussion was not reopened until, deprived of the support of Austrian neutrality, owing to the addition of Sardinia to the allies in 1855, Russia was forced, by the fall of Sebastopol, to capitulate.

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[1] A clause of the draft constitution of 1848 of Moldavia, however, expressed such a desire.

[2] Documents, *post*, p. 727.

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[1] Documents, *post*, p. 728.

[2] Documents, *post*, p. 730.

[3] It is asserted by some historians that France desired union as a check to Russian expansion and that Russia was really against union and supporting it only in order to induce her enemies to defeat it. The action of the Russian delegates at Vienna would seem to prove the opposite. For the draft of de Titoff and the final action of the conference, see Documents, *post*, pp. 728, 730.

The Congress of Paris met on February 25, 1856, for the purpose of registering the details of the peace already agreed on in principle in the Preliminary Draft[1] signed by France, Austria, Great Britain, Russia and Turkey on February 1. Walewski, French Minister of Foreign Affairs and the first plenipotentiary for France, presided.[2] The only lively debates were those regarding the frontier of Moldavia and its union with Wallachia. On the latter question the diplomatic alignment was identical with that of 1855, with the exception that England now favored union. The preliminary draft, like the memorandum adopted at Vienna in 1855, had provided that the internal organization of the Principalities should be in conformity with the needs and wishes of the population.[3] France made every effort to induce the Congress to endorse the union outright. At once, on the opening of the debate, Walewski pointed out that any question of organization necessarily involved the question of union, so greatly desired by the inhabitants, and his argument was heartily concurred in by Clarendon,[4] and by Brunnow.[4] It is an interesting commentary on the prestige which the principle of popular consent had acquired by 1856 to find that both Austria and Turkey, in opposing the union, made similar appeal to the wish of the people of the Principalities, Turkey insisting that the inhabitants did not at all desire the union, Austria pointing out that the people had not been consulted and asserting that, if they were, they would desire separation. In the face of the continued opposition of Austria and Turkey direct action on the question of union was again abandoned.

The arguments of Austria, however, had pointed the way to a solution and indirect action was again resorted to. In the treaty draft, drawn up by Bourqueney, the second French plenipotentiary, and a committee composed of Count Buol and Aali Pacha, it was provided that, in regard to organization, the wishes of the populations should be ascertained on all questions of principle not yet settled. For this purpose the committee recommended that divans *ad hoc* should be summoned, at Jassy and at Bucharest, in such a manner as to guarantee a true representation of the wishes of the country, and that a European commission, composed of delegates of the Powers together with a Turkish commissioner, should meet at Constantinople, should there revise the

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[1] Documents, *post,* p. 730.

[2] The second French representative was Bourqueney. Great Britain was represented by the Earl of Clarendon, Secretary of State for Foreign Affairs, and by Lord Cowley, Austria by Count Buol-Schauenstein, Minister for Foreign Affairs, and Baron Hübner, Russia by Count Orloff and Baron Brunnow, Sardinia by Cavour and the Marquis di Villamarina and Turkey by Aali Pacha and Mehemmed Djemil Bey. The Prussian delegation was headed by the Prussian Minister of Foreign Affairs, Manteuffel.

[3] Documents, *post,* p. 733.

[4] For the passages referred to see Extracts from the Protocols, Documents, *post;* pp. 732, *et seq.*

Organic Act, taking into consideration the wishes expressed by these divans, and should communicate the final result to the European conference.

The report of the committee was received with favor by the Congress, with the sole amendment that the commission should merely recommend to a future conference of the Powers such details of revision in the Organic Act as it should deem advisable, rather than that it should itself revise them. With this change in the character of the proposed commission, the plan was adopted by the Congress and incorporated in the Treaty of Paris,[1] to which instrument the signature of Prussia, as well as of the six original Powers, was affixed.

The Principalities had been under occupation by Austrian troops since 1854. An immediate vote, during the occupation, offered to Austria and Turkey unlimited opportunity to swing the elections to their side. This was defeated by France, however, who insisted on the principle that foreign occupation was an insurmountable obstacle to the free expression of the wish of the people and that, in consequence, the vote should not be taken until the withdrawal of the Austrian forces. After a determined struggle Buol and Aali Pacha surrendered the point and it was agreed that the policing of the Principalities during the election should be in the hands of native troops.

The Bourqueney committee had also been entrusted with the drafting of a set of instructions to the European Commission which had been established. These instructions emphasized the consultative and absolutely non-partisan character of the commission. The commissioners were to make an intensive study of all questions concerning finance, the church, the military system; in brief, of all questions of administration save only those which had been settled by the treaty, namely, the inviolability of Turkish suzerainty and the cessation of the Russian protectorate. The subject of union was not specifically mentioned. It was, however, sufficiently obvious that it would at once become the paramount question. According to the instructions the commission was to repair first to Constantinople, there to ascertain that the firman of convocation, which was to fix the electoral qualifications and the rules of procedure, had been issued by the Porte. From there they were to go to Bucharest, in order to put themselves in touch with the Divans, arriving there at the moment when the Austrian troops had been withdrawn. After the Divans had assembled, the presiding officers were to be invited to transmit the desires of these assemblies to the commission, which was empowered to ask of the Divans any additional information as to their wishes. At the termination of the sessions, the commission was to draw up a report, with such dissenting reports as should be necessary.[2]

The appointments to the European commission were Sir Henry Bulwer for

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[1] Documents, *post*, p. 741.

[2] Documents, *post*, p. 746.

England, Talleyrand for France, and one delegate each from the Austrian, Prussian, Russian, Turkish and Sardinian governments. Owing to difficulties in the execution of several points in the treaty regarding the new limits of Moldavia and an island at the mouth of the Danube, the Austrian occupation, which was to have ceased six months after the signing of peace, was prolonged to a year. The Commissioners were forced to remain in inactivity at Constantinople for some months until the evacuation should be completed, which was not accomplished until March 30, 1857. After more time, spent in visiting Jassy and in waiting for the arrival of the delayed members of the commission, they finally held their first session at Bucharest on May 18, 1857.[1]

The firman convoking the Divans, which, by stipulation of the Congress, was to fix the rules of procedure of these assemblies, had already been drawn up by the Porte in conference with the ambassadors of the six Powers at Constantinople. As universal suffrage was unknown in the Principalities and was contrary also to the political principles of all the Powers except France, the Congress had stipulated in the instructions that there should be " an accurate representation of all classes of society." A careful consideration had therefore to be given to the several classes in the territories.

The population of the Principalities in 1857 was about five million, Wallachia having by far the larger number of inhabitants. Their political and economic condition was still mediaeval. The Organic Act of 1834, although reaffirming the rights and privileges of the Principalities as a whole, had been far from a liberal instrument as regards internal matters. Among other abuses it had perpetuated the feudal privileges of the boyars and had left political power wholly in the hands of the great and lesser nobles and the clergy. Between these nobles and their peasant serfs there was, in the country, no intermediate class. In the towns there were the trades-people, Rumanian, Hungarian, Serb and Bulgar, who were organized in guilds. Commerce was almost wholly under the control of Greeks, Armenians and Jews, who, thanks to Austrian protection, enjoyed advantages over their native competitors. Of the clergy there were two classes, the higher, composed of Greek monks, and the lower of ignorant peasants. The drawing up of the firman occasioned lengthy debate over the proper balancing of the several classes and the effort to strengthen the position of the native merchants. The final provisions represent primarily the labor and skill of Thouvenel.[2] The provision that debate in the Divans should be carried on separately by the delegates from each class sitting in Committee, was, however, a suggestion of the Porte which finally prevailed, although it was feared that the prestige of the Divans would be considerably diminished by each class reporting direct to the commission. The Porte had wished to add to the firman a program for discussion which should exclude all question of union, saying, at Austria's suggestion, that union would be an infraction not only of Turkish suzerainty, but also of the rights of the Principalities, as these included the right of separation. Such a program of discussion Thouvenel objected to, and its absence is due to his express protest.[1]

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[1] It appears from an article of April 17, 1857, in *L'Étoile du Danube* that the governments of the Principalities offered to pay all the household expenses of the commissioners, an offer refused by the English and Russian members, and accepted only in part by the French. The Turkish commissioner took full advantage of it. *Acte si documente relative la istoria renascerei Romaniei,* Vol. 4, p. 76.

[2] Thouvenel wrote on January 8, 1857, "Rédiger une loi électorale pour un pays qui nous était inconnu, ce n'était pas chose facile, mais je crois très sincèrement que nous

By the firman the number of deputies to the Wallachian Divan was fixed at 112, the Moldavian at 84. In each Principality the election of deputies was to be by five classes, the deputies thus elected to sit in five committees, each committee to consider separately the questions of paramount importance to its class. The first class of electors was composed of the clergy. The superiors of convents and regular priests living in the capital of the diocese were to choose two deputies, while the lower clergy were to choose their delegates by indirect election, and the Metropolitan and the bishops of the country were to be members of the Divan *ex officio*. The second class was that of the great boyars and sons of boyars, of thirty years of age or over, owning cultivated land in excess of one hundred *faltches*,[2] or the equivalent in *pogones*,[3] and free from mortgage. These were to meet in the capital of each district and to elect from their number two deputies owning three hundred *faltches* (or the equivalent in *pogones*). All proprietors of amounts of land from ten to ninety-nine *faltches* or their equivalent were to form the third class. These were to choose from among themselves five electors from each prefecture to meet in the capital of the district and there elect one deputy to the Divan. The fourth class, that of the peasant serfs of the rural communes, who had never before been represented, were to elect their deputies, one for each district, by means of two intermediary colleges. The fifth and last class was that of the inhabitants of the cities. These were divided into four groups, householders owning property of a certain value,[4] professional men, licensed

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nous sommes tirés de ce problème le moins mal possible. Ayant seul travaillé à fond la question, je craignais un peu d'effaroucher les autres. J'ai eu, au contraire, à me louer de tout le monde. Grâce à Dieu, me voilà délivré de cet ingrat travail, et si les Valaques ne se jettent pas dans les bras des Moldaves, ce ne sera pas ma faute!" L. Thouvenel, *Trois années de la question d'orient, d'après les papiers inédits de M. Édouard Antoine Thouvenel,* p. 66.

[1] Thouvenel to Walewski, Pera (Constantinople), January 4, 1857. *Acte si documente,* Vol. 3, pp. 1016–1023.

[2] A Moldavian measurement, the equivalent of 14,320 square meters.

[3] A Wallachian measurement, about 4,990 square meters.

[4] 20,000 *piastres* in the capital, 8,000 in the other cities. The Turkish *piastre* was

merchants, and the provosts and delegates of the diverse guilds. These voted by indirect ballot for the delegates allotted to their city or town. In Wallachia the three largest cities had two deputies, the smaller towns one each.[1] Thirty days were to be allowed for protests and complaints after the posting of the electoral lists, which were to be drawn up by the prefects. Protests were to be passed on by a committee composed of the prefect, the judges of the districts, and the municipal officials of the chief city. Any intervention of the authorities in the election was forbidden and no official was allowed to run for election without resigning office. It was further provided that the elections were not to be held until the arrival of the European Commission at Bucharest.

According to the testimony of the French consuls at Jassy and Bucharest, the firman, although drawn up by outsiders, gave great satisfaction to all classes in the principalities. The only expressions of dissatisfaction came from some of the great boyars, who resented the humiliation of inclusion with the lesser proprietors and wished a much larger number of delegates, a plea in which Béclard, the French consul at Bucharest, felt no interest, both on account of its lack of reason, and because if there were any opponents of union they would be among the great nobles.[2]

Although any specific mention of the question of union as one of those to be settled had been omitted from the Treaty of Paris and from the instructions to the commissioners, it had been well recognized that the subject could not be avoided in the elections. The matter was, indeed, brought up in the British House of Lords on February 7, soon after the firman was issued, by a question as to whether the matter of union was to be settled by the Divans or by the Powers.[3] To this Clarendon replied that the firman put no bar on discussions of the question of union or of any other question arising from the Treaty of Paris, and was so far in faithful compliance with the intentions of the Congress of Paris which had declared, with the acquiescence of the Turk-

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worth a little more than 20 *centimes*. The *piastre* of each principality had slightly different values. *Thouvenel*, p. 68, *note*.

[1] Documents, *post*, p. 749. The composition of the Wallachian Divan was as follows: of the 112 deputies, four, namely, the Metropolitan and the three bishops, were members *ex officio*, the higher clergy had six representatives, the large landed proprietors thirty-four, the smaller seventeen, the cities twenty-two, the rural communes seventeen. In the Moldavian Divan the eighty-four deputies were to be seven members of the higher clergy, twenty-eight representatives of the large proprietors, fourteen of the smaller ones, eighteen representatives of the cities, and fourteen of the rural communes. The Metropolitan of Jassy and the two bishops were members *ex officio*. Frédéric Damé, *Histoire de la Roumanie*, p. 102.

[2] *Thouvenel*, p. 72. Béclard wrote that the ninety-five great boyars of Wallachia wanted twenty deputies out of the thirty-four allotted to the class as a whole, which numbered about 2,700.

[3] *Hansard* (3d series), vol. 144, p. 331. The question was put by Lord Lyndhurst.

ish plenipotentiary, that the people of the Principalities should be free to discuss any subject connected with the form of government to be adopted so long as Turkish suzerainty was not questioned. Further discussion by Parliament, Clarendon added, must be delayed until the Divans had been consulted, the report of the commission had been received, and the conference had met to consider it, for such had been the understanding of the Congress of Paris.

Already during the discussions on the firman of convocation a lively campaign had been carried on in the Principalities. No sooner was the firman promulgated than the self-constituted "Electoral Committee" in Jassy, the chief city of Moldavia, issued a manifesto outlining its program, with union as the first article of its platform, and autonomy, a foreign prince, and a constitution the remaining ones.[1] In each district of Moldavia similar committees of union [2] were formed, which at once set about selecting their candidates for the Divan. With the leaders of the unionist party, Victor Place, the French consul at Jassy, was in close touch. Arriving in Jassy at the time when the struggle for union was first opening he had used all his influence in its favor, gaining the adherence of the Metropolitan and inducing the Hospodar to place unionist officials over each district with the purpose of arousing union sentiment.[3]

The Congress of Paris, in its anxiety fully to recognize the suzerain rights of the Sultan, had unwarily, and in spite of the efforts of Clarendon, left it absolutely to the Porte to take such measures as should be suitable to insure a free vote. As the legal term of office of the hospodars was on the point of expiring, the Sultan chose to replace them by "caïmacams" or regents, to whom he entrusted the formation of provisional governments. These men were carefully selected to promote Turkish interests. Over Wallachia he placed Prince Alexander Ghika, and over Moldavia, Balsche. Both of these were inacceptable to France, and Balsche particularly so, for he represented the influence of Austria. As an adverse vote from one Principality would be sufficient for their purpose, Turkey and Austria determined to concentrate every effort on Moldavia, where, although the patriotic movement was older and stronger than in Wallachia, there was the hope that success might attend a propaganda which should emphasize the fact that, as the smaller and less populous province, Moldavia would be forced into an inferior position, and that its chief city, Jassy, would lose its rank as a capital. Austria had already used the opportunities afforded by her military occupation to stimulate this rivalry. Hoping to gain an adverse vote in Moldavia by making use of this argument and of various means of manipulation, it was arranged that the vote there should precede that of Wallachia, and thereby exercise an unfavorable influence on the unionist sentiment of the latter. To further discourage the unionists of both countries, word was spread that France had abandoned their cause, an assertion promptly denied by an article in the *Moniteur* of February 5.

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[1] Documents, *post,* p. 757.

[2] These organizations originally called themselves "clubs" but changed their name to "committees" as a result of criticism.

[3] Alexandre Xénopol, *Histoire des Roumains,* vol. 2, p. 557.

Under the direction of Balsche the partisans of union were persecuted in innumerable ways. Accusations were trumped up and the courts packed against them, and in all questions pertaining to labor, taxes, debts and the like, the prefects, who were the arbiters, gave adverse judgment.[1] Balsche died suddenly, soon after the publication of the firman. His successor, Vogorides, like Balsche the choice of Austria as well as of Turkey, in spite of his formal oath to do nothing to interfere with the free vote of the people, at once set about carrying out his predecessor's policy of pressure.[2] New arguments against union were also advanced. The French Consul, Place, kept his chief fully informed of the repressive acts of the Caïmacam, and received in reply repeated admonitions to bend every effort towards a free expression of Moldavian opinion,[3] an end desirable in itself, but especially so as a means of modifying the opposition of Great Britain.

The firman, drawn up at a distance, naturally contained numerous details admitting of doubt in interpretation. Hardly had the European Commission constituted itself at Bucharest before it had received from Prince Ghika, Caïmacam of Wallachia, questions which, he said, must be answered before the electoral lists could be published. This was the cause of fresh difficulties. The commissioners asserted that the authors of the firman should be the only ones to interpret it. The question of which body should shoulder the task soon assumed the proportions of a European diplomatic conflict. To add to the complication, Vogorides had on the other hand no such hesitation but was proceeding to publish at once the Moldavian election lists which had been carefully revised to omit the partisans of union. This increased the tension among the Powers, those against union wishing to leave a free hand to Vogorides, who had prepared everything for an election corresponding to their wishes.

The methods of Vogorides had been manifold and crude. Leaders of the unionists had been arrested and imprisoned,[1] officials who could not be depended on to work against union were deposed, judges were removed from office.[2] To strengthen his adherents, many promotions were made in the army and in the boyar class, an act expressly forbidden by the Organic Act. The public press was censored and some papers suspended.[3] The unionist committees were forbidden to meet and all public discussion was prohibited. These measures being apparently insufficient in the face of the popular will for union, the government officials had next turned their attention to the electoral lists. These were to have been published in each locality as soon as the prefect had drawn them up. The method adopted was to order that they should not be made public at once but that they should be sent by the prefects to Jassy, where they were carefully inspected and corrected to meet the government's views. The prefects were instructed to aid the government in this work and care was taken in the election of prefects to insure the failure of any unionist candidate. The complete absence of statistics, of authentic measurements of the quantities of land, of certificates of birth and of nationality, and, above all, the provision in the firman that the holdings must be free of mortgage, made it easy for the government to reject in great numbers the demands for registration. Appeal lay, according to the firman, with a committee composed of the prefect, two judges of the court, and two delegates of the municipal council. Although the latter were more independent, they were in the minority, as against the government commissioners. The appeals were for the most part returned unread.[4] From the figures given it appears that exclusion was practiced wholesale. Of the 2,000 large proprietors of Moldavia the lists contained the names of only 350. Of the 20,000 or more small proprietors only 2,264 were included. Among the municipal electors only eleven members of the liberal professions were entered. The complete lists comprised 4,658 electors of the higher classes in place of the 40,000 which should have been entered. Great boast was made of the 167,222 peasants registered, but in view of the manner in which they were to vote this amounted to nothing.[5]

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[1] *Thouvenel,* pp. 79–80.

[2] Vogorides was appointed Caimacam on March 7. Like Balsche he was not a native of the Principalities. Place reported to Thouvenel that Vogorides, who had been Minister of Finances under Balsche, had asked the support of France in his candidacy for the office of caimacam, saying that he was at heart a unionist. *Thouvenel,* p. 85.

[3] Thouvenel to Walewski, March 2, 1857, *Acte si documente,* vol. 3, p. 1172; Walewski to Place, March 19, 1857, *ibid.,* vol. 4, p. 75. There are many other dispatches to the same effect.

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[1] Dispatch of Place, April 3, *Acte si documente,* vol. 4, p. 222. Cf. also Clément Desprès, *La question des principautés danubiennes,* p. 123, and *Xénopol,* vol. 2, pp. 564, *et seq.*

[2] Protest of Constantin Stourdza, April 22, *Acte si documente,* vol. 4, p. 387. Stourdza also complained that he had been prevented from making a legal entry of the limits of his land on the ground that he was doing it in order to secure the right to vote for union.

[3] The chief unionist paper, *L'Etoile du Danube,* was published in Brussels. Austria came to the aid of Vogorides by prohibiting its carriage across her territory. The organ of the Moldavian government, the *Gazeta Moldovei,* opposed union energetically and freely. *Xénopol,* vol. 2, p. 563.

[4] *Xénopol,* vol. 2, pp. 567–8.

[5] *Xénopol,* vol. 2, p. 569. In a protest addressed to the European Commission on June 20, signed by thousands of Moldavian patriots, it is charged regarding the clerical deputies that Vogorides had so arranged it that one electoral college, which had to elect

In spite of assertions to the contrary by the Turkish Vizier, it is proven by numerous letters that Vogorides was merely carrying out the orders received from the Porte and that, in the large, if not in detail, his actions had the approval of Great Britain and the highest praise from Austria.[1] The appointment of the Vizier himself had been at the instance of Lord Stratford de Redcliffe and Baron Prokesch von Osten, the Ministers of Great Britain and Austria, at Constantinople, and in their hands he was but a passive instrument. France, however, supported by Russia, Sardinia, and Prussia, was determined on a fight to the finish on the Moldavian elections. The unionists of the Principalities were equally determined. At each act of the government a cry of indignation went up, protests were at once sent to the French consul at Jassy, and to the members of the European Commission at Bucharest. In the end the ministers of the Powers friendly to the union offered such conclusive evidence that Vogorides was acting in a spirit directly contrary to the Treaty of Paris, that their colleagues of Great Britain and Austria were forced to meet in conference to advise as to the most suitable means of recalling the Caïmacam of Moldavia to the execution of the firman. At this conference, held on May 30, 1857, it was agreed that the commission at Bucharest should interpret the firman in concert with the Caïmacam of Wallachia, and that this interpretation should be sent to Vogorides, " in order

two deputies, had only two electors; that any mortgage on land disqualified the owner, even though the land was worth the mortgage many times over; that members of the liberal professions were excluded illegally; that there were only 310 electors allowed for Jassy, out of 80,000 inhabitants, whereas there were 500 on the list for Houschi, which had only 8,000 inhabitants; that Galatz was forced to give up one of its two deputies and the vote was given to Fokshani, a town with a smaller number of inhabitants; and that some elections among peasants were held before the lists were published, by means of ballots on which the names of deputies were left blank. Documents, *post*, p. 802. For a summary of the different protests and petitions, Cf. Documents, *post*, pp. 781, 782. In *Acte si documente, renascerei Romaniei* there are printed many more protests not given here.

[1] Cf. letter of Baron Prokesh-Osten to Vogorides, April 18, *Acte si documente*, vol. 4, p. 358. "J'ai suivi avec un vif intérêt et avec une satisfaction toujours croissante l'activité que votre Altesse n'a cessé de déployer dans un sens qui a dû lui mériter la reconnaissance et les éloges de la Sublime Porte, et je me suis félicité dans la même mesure, de la part que j'ai eu le bonheur de prendre au choix de sa personne pour le poste qu'elle remplit si dignement." Cf. also the confidential letter of A. Vogorides, Secretary to the Turkish Embassy in London to his brother, the Caïmacam, on April 14, 1857, the French translation of which is as follows: . . . "Lord Palmerston est tout-à-fait contraire à l'union, il la considère comme subversive des droits et de la suprématie de notre Souerain, et, par conséquent, des instructions analogues seront envoyés aujourd'hui à Sir Henri Bulwer . . . Ainsi que je vous l'ai dit précédemment, il y a grande nécessité que vous employiez à temps tous vos efforts pour que les Moldaves n'expriment point de vœux pour l'union et pour que vous vous rendiez ainsi digne de la bienveillance de la S. Porte et de l'appui de l'Angleterre et de l'Autriche. Puisque les trois Puissances sont décideés à empêcher de toutes leur forces l'union, il ne faut guère vous inquiéter de ce que veulent ou menacent de faire les Français dont les journaux vous traitent de Grec . . ." *Acte si documente*, vol. 4, pp. 328–9.

that the firman should be followed as accurately as possible except in cases of conditions peculiar to Moldavia." [1] But Vogorides had already published the Moldavian electoral lists, with all the objectionable features which had raised such opposition. France and the three other Powers thereupon demanded a delay of fifteen days in order that the lists might be revised according to the interpretation, and to this the Vizier, whose complicity was by now uncovered, had agreed, and the Council of Ministers had so decided when the ambassadors of Great Britain and Austria, using their influence over Rechid Pacha, induced the Grand Vizier to withdraw his promise on the ground that no such action could be taken without the unanimous consent of all the Powers. At the same time Redcliffe and Prokesch announced that they accepted any responsibility which might fall on the Porte, and the Caïmacam of Moldavia proceeded with the elections.

The elections in Moldavia were held on July 19. In spite of the careful preparation the majority of the electors chosen by the government so resented the manipulation of the lists that, as a protest, they abstained from voting. Of the 205 electors of the religious orders only 16 voted. Of the 465 large proprietors chosen by the government, only 214 voted. At Jassy, where only 40 of the 700 great proprietors were registered, only 17 voted; at Bacau 17 out of 57; at Soutchava, 17 out of 35. The delegates of the lower classes were nominated in large part by the government and the formal minutes were drawn up without consulting the electors.[2] Even in the polling places the abuses were continued, a group of electors at Jassy complaining that a self-appointed committee took possession of the ballots and wrote on it the name of the anti-unionist candidate while anyone who objected to this proceeding was ejected.[3]

What with these methods and with the abstention of such unionists as were registered, it is not surprising that the returns were against union, but the losing side refused to tolerate such a parody of a vote. France insisted that the elections be annulled.[4] Hoping to placate France, Rechid Pasha was sacrificed and a new ministry instituted. France, however, not content with a mere change of ministry, repeated her demand. Russia, Sardinia, and Prussia joined France in an ultimatum. The Porte, which was still under the influence of Redcliffe and Prokesch, answering evasively, France broke off diplomatic relations with Turkey, on August 5, and Prussia, Sardinia, and Russia followed on the next day.

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[1] *Annuaire des deux mondes,* vol. 7, 1856–57, p. 702. The text of this decision was not made public. The portion here given in quotations is translated from instructions given by Thouvenel to one of the French agents.

[2] *Annuaire,* vol. 7, 1856–57, p. 708. *Xénopol,* vol. 2, p. 572.

[3] Cf. protest quoted in *Annuaire des deux mondes,* vol. 7, 1856–57, p. 707.

[4] For extracts from the diplomatic exchanges, see Documents.

The situation was one of great gravity and another European war seemed possible. Neither France nor England, however, desired war, and Napoleon seized the occasion of a visit to the Queen at Osborne, on August 6, to effect a compromise. In return for his promise to refrain from insisting on an absolute union of the two Principalities, Great Britain gave consent to the annulment of the Moldavian elections.[1] With the defection of England, Turkey and Austria were forced to capitulate. New electoral lists were ordered in Moldavia, the elections were held once more, and diplomatic relations were restored. The crisis through which the Porte had passed having been sufficiently serious to make the avoidance of another more desirable than the defeat of union, Vogorides' first care in the second elections was to be as fair and impartial as possible.[2]

The drama which had been played on the international stage had been repeated *in petto* in the sessions of the European Commission, where the delegates of France, Russia and Sardinia had been pitted against those of Great Britain, Austria and Turkey in the struggle over the Moldavian elections. As each question of procedure was brought up in the Commission the debate over the ruling reflected this partisan division, the pro-unionist group of delegates making a determined effort to force the Commission to be a supervisory body and the other group seeking to limit its powers in such a way that no response could be made to petitions and no word of censure could be passed. There were protracted debates over the actions of Vogorides; the representatives of the Powers which were for union insisting that it was beneath the dignity of the Commission to treat with a divan which had been thus elected, while the British Commissioner, Bulwer, on the other hand, urged, in a lengthy defense, that the charges against Vogorides should be treated with patience and skepticism.[3]

The second Moldavian elections were held on September 10, and those in Wallachia on September 26. In both Principalities the victory for union was complete. The Moldavian Divan opened on October 4, and that of Wallachia on October 11. In Moldavia the Divan, after the usual formalities and a motion of gratitude to the Powers signatory to the Treaty of Paris, at once proceeded to formulate the general principles on which all reorganization must rest. These were a guarantee of the autonomy of the Principalities; union under one government; a foreign prince, to be chosen from one of the reigning families of Europe; and a single representative assembly for the two

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[1] Cf. Debidour, *Histoire diplomatique de l'Europe,* vol. 2, p. 173. Debidour explains the concession on the part of England by the Sepoy Rebellion (May–July, 1857) which made it imperative to placate Russia, which was at Khiva, and France, which was in Hindustan. Cf. also, *Damé,* p. 104.

[2] *Xénopol,* vol. 2, pp. 574–5.

[3] For the significant passages of the debates see Documents, *post,* pp. 760 *et seq.*

Principalities. This platform was introduced in an eloquent address and seconded amidst the greatest enthusiasm. The only two members who were against union at once offered a counter motion. Although this had only two signatures and the rules of the assembly did not permit the reading of any motion unless it were supported by at least five members, the Divan, not wishing to cut off the adversaries of union, allowed the motion to be read. After a short discussion the vote was taken and of the eighty-three deputies voting, eighty-one were for union. The method of voting was open; each deputy in turn advanced to the desk, stated his vote in a loud voice and signed his name to three identical ballots of which two, of parchment, were deposited by the archbishop in the State archives, while the third was appended to the minute of the deliberations.

Having registered the vote for union, the Moldavian Divan then conformed with the firman by forming in committees of classes and there discussing the further details of the proposed reorganization. The Wallachian Divan was, however, far less subservient, perhaps because of the presence of a large number of returned exiles of 1848.[1] It utterly refused to separate into class committees and, after adopting, with only two dissenting votes, a platform similar to that of Moldavia, with union and a foreign prince the chief planks, it issued the pronouncement that further discussion of details would be inconvenient and impossible until the decision of the Powers on these points should be made known. In this attitude it persisted in spite of repeated requests from the European Commission to state its views on details of organization,[2] and on December 26 it accordingly adjourned until the following February.

Foreseeing that if no official manipulation were allowed the verdict for union was inevitable, Turkey had anticipated the votes of the Divans by a formal communication to her representatives abroad, stating that quasi-revolutionary clubs had been organized in Wallachia and Moldavia which had intimidated the inhabitants, and that therefore, before the vote for union, she considered it to be her duty to declare frankly that, whatever the desire expressed by the Divans as to union, the Porte, relying on the provision of the Treaty of Paris, to the effect that the final arrangements should be determined entirely by agreement between the Porte and the other Powers, felt absolutely obliged to maintain its former decision against union. To this protest Russia and Prussia replied that they would postpone their answer until they had heard the votes of the Divans and until the conference had met at Paris, and added that the character of the Divans was above reproach. After another protest the Porte ceased from further objections until the opening of the conference of ambassadors at Paris.[1]

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[1] These had returned, with the consent of the Porte, in time for the elections. It is probable that this permission was at the instance of Great Britain where the matter had been made the subject of a question in Parliament on March 18.

[2] The determination of the Wallachian Divan was strengthened by the certainty that there would be many differences of opinion on other questions, and that dissension might weaken the force of the vote for union in the eyes of the Powers. *Xénopol,* vol. 2, pp. 576–7. This decision was borne out by the experience of the Moldavian Divan, where the several classes held far different views on many questions, and on some reached no conclusions.

In the sessions of the European Commission at Bucharest, there had been some criticisms by Austria and Turkey of the legality of the second elections in Moldavia; little interest had, however, been excited, even Sir Henry Bulwer refusing to protest them, on the ground that one need not expect the millennium in such a backward region. The Russian Commissioner, anxious as he was to credit the votes for union, had been outraged at the prominence of the patriots of 1848 in the Wallachian assembly, at the refusal of the delegates to separate into classes, and at the institution of stenographic reports of debates, which were made public before copies could reach the commission. His protests, also, were without result.

The Moldavian Divan had dissolved itself on January 2, 1858. Before the date for the Wallachian Divan to reassemble, both bodies were formally dissolved by a firman of the Porte. It now remained for the European Commission to draw up its report to the Powers regarding the desires of the people's representatives. This had become a matter of great difficulty. The Divans had made union their first demand, but France, their chief supporter among the Powers, had pledged herself against it at Osborne, even before the votes were passed, and the several commissioners had received explicit orders from their governments not to discuss the question of union or of a foreign prince. On these points, therefore, the commission contented itself with simply transmitting the votes of the Divans, without recommendation.[2] The other problems of organization were exhaustively discussed in the report which was transmitted direct to the conference at Paris, without being made public.

Whatever the agreement made between Napoleon and the Queen at Osborne, the British liberals were still hopeful of changing British policy in favor of acquiescence in the vote of the Principalities. A week before the conference of ambassadors was to meet at Paris, the question of the union was again brought up in Parliament, this time by Gladstone, who, supported by Lord John Russell, introduced a resolution calling on the House of Commons to reaffirm the policy regarding the Principalities which had been pursued by the Government in 1856, and to express the wish, in general terms, that due weight and consideration should be given to the wishes which their people had expressed through their representatives, elected in conformity with the

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[1] *Annuaire*, vol. 8 (1857–58), pp. 683–4.

[2] See extracts from Reports on the Reorganization of the Principalities, Documents, *post*, p. 833.

Treaty of Paris.[1] He held that the elections were conclusive in the fact that a great proportion of those qualified had voted, and with a unanimity remarkable in a vote taken by classes between which there existed questions of a most painful and difficult nature, offering every chance to foment dissension. To consult the people and then to refer the question of union to the commissioners he characterized as a proceeding not only foolish, but dangerous. It was, he said, using his favorite simile, "like lighting a fire and stopping up the chimney," and he declared that he for one would be no party to trifling with the reasonable expectations of five millions of men, and concluded with the wise forecast that if the conference at Paris should decree against union the Principalities would thereby be pushed into the arms of Russia which was supporting it. The Government, in answer, attempted to interpret the vote of the Divans as one for union only in case a foreign prince should be accorded them. To this Lord Robert Cecil answered that in the preamble to the resolutions of the Divans it was clearly stated that the most important wish was for union, which showed the foreign prince to be a subsidiary desire. In spite of these efforts of Gladstone, Russell and Cecil, the government's policy remained unchanged.

The conference for the reorganization of the Principalities met at Paris on May 22, 1858. France was represented by Count Walewski, England by Lord Cowley, Russia by Count Kissilef, Prussia by Count von Hatzfeld, Sardinia by the Marquis of Villamarina, and Turkey by Fuad Pacha, Minister of Foreign Affairs of the Sultan. There was no attempt to question the authenticity of the votes of the divans. The plenipotentiaries of Russia, France, Prussia, and Sardinia all asserted their confidence in their validity, and Cowley agreed that there was no doubt but that the people had shown themselves for union. France made an initial effort to secure endorsement both for the union and for a foreign prince, but in the face of the continued opposition of England, Napoleon, his hands tied by the Osborne compromise, was forced to yield. The French plenipotentiary at the third session introduced a draft containing a qualified union and the draft was made the basis of the convention signed on August 19. The structure thus reared by the facile hand of diplomacy was a strange mixture of union and separation. The Principalities were, to be sure, henceforth to be called "united" but the words "of Moldavia and Wallachia" were to be added, in order to deprive the new denomination of significance. Each was to have a separate hospodar, a native of either Principality, who was to be elected for life, and each was to have a separate assembly. There was, on the other hand, to be a central commission and a high court of justice set up for the two Principalities for matters of common interest and the new organization was put under their safeguard. The militia bodies, too, were to have a common organization, and might be united for manœuvres, yet they were to have separate flags.[1] New assemblies were to be elected, each to vote for the new hospodar, and for this an electoral law was drawn up by the Powers.[2] Although vastly simpler and more liberal than the firman of 1857, this law perpetuated the voting by classes and the combination of a direct and indirect vote.

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[1] . . . "The union is the wish of almost the entire population of the Principalities. That is a fact which bears greatly upon this question . . . although it is not conclusive on the question, yet I speak in the British House of Commons — I speak in that assembly to which, I will not say alone, but to which almost alone, every lover of liberty in the world has now to look for the vindication of his rights — and I implore the House of Commons to do full justice to the wishes. to the rights and interests of these peoples, if those interests be compatible with justice and the welfare of Europe." See *Hansard,* (3d series) 1858, vol. 150, pp. 46–80, for the speeches of Gladstone and Russell.

While the Convention of August 19 did not fulfill the hopes of the Rumanian patriots, it was nevertheless a long step towards union. Ingenuity soon contrived the next. The Convention had provided that citizens of either Moldavia or Wallachia should be eligible to the office of hospodar in either Principality. Explicit in all else, the Convention had not provided for any action in case the two assemblies should elect the same hospodar. This they at once proceeded to do, although, mindful of the other provisions of the Convention, they surrendered their desire for a foreign prince and elected a native.

For the new elections the Conference at Paris had insisted that Vogorides and Ghika be removed and replaced in each Principality by three members of the Ministry in power before 1857, but the turbulent relations and autocratic acts of these restored officials gave little evidence of their conception of the national situation. In the Moldavian assembly there were two rival candidates for the office of hospodar, and into the ensuing bitter struggle the Turkish government entered with the hope of regaining by indirect methods what it had lost through the Convention of August 19. Fearing that dissension would give aid and comfort to Turkey and Austria, the French and Russian consuls urged the rival factions to unite on a new candidate. When the name of Alexander Couza, who, as prefect of Galatz, had refused to carry out Vogorides' orders for the first Moldavian election, was at last adopted by the national party, the partisans of the two other candidates gave way, and Couza was unanimously elected on January 9, 1859.[3]

The Wallachian assembly had been delayed by the struggle over the electoral law, which the consuls had finally been forced to settle. When the assembly met there was a three-cornered division between the partisans of two former hospodars and the party of union. A deadlock seemed certain when the newly named agent for Moldavia stopped at Bucharest on his way to Constantinople and advised that Wallachia also elect Couza, saying that he was the candidate supported by France, and that this was the indirect method chosen by Napoleon to impose the union on Europe.[1] This hint, together with the appearance of a crowd of townspeople to support it, brought forth from one of the members an eloquent appeal for harmony and for a vote for Couza as another vote for union, and Couza was unanimously elected. The opponents of the union, startled by the new turn of events, wanted the election annulled, but the enthusiasm of the country showed clearly that the vote, if annulled, would be repeated. The only alternative, that of intervention by some one of the Powers, was unacceptable to the others. Faced with the dilemma, Great Britain acknowledged the *fait accompli*. Austria was too much engaged with affairs in Italy to oppose it. The Sultan attempted to defeat the union by refusing investiture, but was finally prevailed upon by the five Powers, in conference at Constantinople, to give his consent. Forced to submit, he gave Couza two firmans of investiture, one for each Principality, with the reservation that the union should be only during his occupation of the office and that thereafter the Convention of August 19 should be restored.[2] In 1861 a further step towards union was effected with the granting of the privilege of a common assembly and ministry, again with the reservation that it should be temporary. These reservations were allowed to stand but were not endorsed by the Powers, who expressly reserved their decision until the question should again arise.

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[1] When united for manœuvres the two flags might each have a border of the same color.

[2] The text may be found in *Annuaire*, vol. 8, 1857–58, p. 931.

[3] There were 49 delegates. *Xénopol*, vol. 2, pp. 580 *et seq.*, gives a detailed account of the election.

Couza did not have a peaceful reign. In his zeal for economic and political reform he contrived by successive measures and dictatorial methods to alienate the clergy, the nobles, and the peasantry. In February, 1866, he was forced to abdicate and the government at once issued a proclamation calling on the assembly already in session to elect a foreign prince. As the Porte had recognized a single hospodar for the Principalities only for the reign of Couza, and as the other Powers had reserved the right to consider the question when it should arise, the matter was again open and once more the Powers were summoned in conference at Paris to settle the question of the union of the two territories. It was obvious that the Rumanians were now determined to have not only union but a foreign prince. In this latter desire they had always had but one strong supporter, France. Russia was now so alarmed by the prospect that she withdrew her support of the union. In discussing union the matter was once more placed on the basis of the popular will. Austria and Russia, citing the recent upheaval regarding Couza as a proof of popular discontent with the existing order, now asserted that the desire of the people, especially in Moldavia, was for separation and, to ascertain this desire, they urged that the matter be again put to vote, under secure guarantees of liberty and independence.[1] France and Sardinia opposed a vote on the ground that the vote of 1857 had been decisive. Cowley stated that the British government had no preconceived opinion either for or against union, and left it wholly to the people, " on whom she had never had the intention of imposing a state of affairs repugnant to them." The majority of the Powers favoring another vote, the French plenipotentiary proposed that to obviate delay it should be given by the joint assembly already gathered at Bucharest. Russia argued that greater freedom would be assured if the Moldavian deputies should vote at Jassy. Russia, however, advocated a wholly fresh appeal to the people, and was supported in this by Prussia and by Great Britain, Cowley saying that he could not understand why there should be any hesitation in consulting the populations. The method of taking the vote, whether by one or two assemblies, and by new elections or not, was finally referred to the home governments. Without waiting for the decision of the Powers, however, the Provisional Government of the Principalities settled the question by dissolving the assembly already in session and convoking a new one, and by holding a plebiscite which elected the Count of Flanders.[2] This action brought forth bitter denunciation from the conference. The consuls in the Principalities were notified by telegraph to inform the Provisional Government that a foreign prince was impossible, that as to union if the Moldavian delegates to the new assembly requested it, they should be allowed to vote separately on the matter, and that, if their vote should be adverse, the union would be dissolved. The consuls were to exercise a joint supervision over the vote.

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[1] *Damé*, p. 112, and Sturdza, *La terre et la race roumaines*, pp. 505–7. Xénopol makes no mention of Moldavian or French influence in the election, and credits it purely to the Wallachian assembly.

[2] Cf. Martens, *N. R. G.*, vol. 17, pt. 2, p. 82, for the protocols of the conference at Constantinople, and pp. 87–91 for the answer of the Foreign Offices of France, Russia, Great Britain, Prussia, and Italy, to the reservation of the Porte.

Judging the diplomatic situation to be inauspicious, the Count of Flanders had refused his election, but the Provisional Government had not exhausted its resources. On May 17, the President read to the Conference another dispatch from the government at Bucharest announcing a second plebiscite by which Prince Charles Louis of Hohenzollern Sigmaringen had been elected, by 685,969 votes to 224. The Rumanian agents at London and Paris had already ascertained that Prince Charles would be acceptable to both Great Britain and France.[1] Needless to say he had also the support of Prussia. Although none of this support was voiced in the Conference, Austria and Turkey, perceiving further opposition to the union to be useless, accepted it, and, after a long and futile discussion, yielded also on the question of the foreign prince. On October 23, 1866, Prince Charles I was invested as hereditary prince over the United Principalities of Wallachia and Moldavia, which henceforth assumed for themselves the name of Rumania, although the name did not receive diplomatic recognition until the Principalities had gained their independence after the Russo-Turkish war in 1877, and it was not until May 22, 1881, that the coronation of Charles as King of Rumania took place at Bucharest.

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[1] The protocols of this Conference may be found in Martens, *N. R. G.*, vol. 18, pp. 166 *et seq.*

[2] Universal manhood suffrage had been one of the reforms instituted by Couza.

## The Ionian Islands, 1863

The year 1863 was marked by an event unique in the annals of European diplomacy. A great empire, coveting maritime and commercial supremacy in the East, voluntarily relinquished a most commanding position, held there by undisputed right of treaty, and ceded to another nation what was thought to be one of the strongest fortresses in the world;[2] and the cession is still more noteworthy for the fact that it was made under the stipulation that the people themselves should, through their elected assembly, sanction the act. However accurately the cynical may attribute this act to complex diplomatic causes, it remains the highwater mark of the liberal era of Great Britain's foreign policy.

Before the British Protectorate, which was instituted in the general rearrangement of Europe in 1815, the seven Ionian Islands, Corfu, Cephalonia, Ithaca, Santa Maura (Leucas), Zante, Cerigo and Paxo, scattered along the coast of Greece from Epirus to the extreme south of the Morea, had known many masters. For four centuries they had been under the harsh dominion of the Venetian Republic, when, in 1797, the overflowing current of the French Revolution caught up the Islands and carried them rapidly through kaleidoscopic changes of sovereignty; first the Directory, by the Treaty of Campo-Formio in 1797; then a joint Russo-Turkish protectorate, under whose loosening grasp the Islands managed to obtain recognition as the Septinsular Republic, in the Treaty of Amiens in 1802; then, by the Treaty of Tilsit in 1809, back to Napoleon, under whom they remained for the brief period before they were seized by the British during the operations of the war and put under a British administration.[1] Their fate for the next fifty years was at last settled by the Treaty of Paris, signed on November 5, 1815.

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[1] Sturdzâ, *Charles I, roi de Roumanie,* vol. 1, p. 46.

[2] George William Hamilton Fitzmaurice, Viscount Kirkwall (sixth Earl of Orkney), *Four Years in the Ionian Islands* — Kirkwall, writing in 1864, says that Corfu is still unrivalled as the strongest and most valuable of eastern fortresses — vol. 1, p. 48.

By the Treaty of Paris, Great Britain, Russia, Austria, and Prussia again recognized the Islands as a republic under the name of the "United States of the Ionian Islands," and declared them to be a single, free, and independent State. In order to keep them out of more dubious hands, however, and to remove them from the international chess table, they were placed under the immediate and exclusive protection of Great Britain. The "mandatory," anticipating from the charge a thankless burden, gave reluctant acceptance, so the historians say;[2] yet the strategic position of the Islands must needs have been of the first importance to a World Power, and the right to occupy forts and territories was expressly given by Article 5. Nor was the independence of the Islands so apparent at the end of the treaty as at the beginning, for the power of the new State to regulate its internal organization was to be "with the approval of the protecting Power"[3] which was "to dedicate its particular solicitude to the legislation and general administration of the State," and to appoint a resident Lord High Commissioner invested with authority sufficient for the purpose. To this Lord High Commissioner were given practically unlimited powers regarding the convocation and direction of the assembly, and the Constitution of 1817, by the simple device of enabling the government to nominate the delegates to the Assembly and depriving the Assembly of power over supplies or ministers, enabled the Lord High Commissioner to do whatever he pleased.[4]

With such a despotic system, established by an alien ruler, it is surprising that, in spite of the resurgence of Greek nationalism on the mainland in 1821 and the success of the Greek War of Independence which culminated in the acknowledgment of the independence of the Greek kingdom in 1832, there should have been, until 1840, only a small party in the Islands actively against the British protectorate, and scarcely any movement to join in the new Greek kingdom. This was probably due not only to the unpopularity of Otto, the Bavarian king of Greece, but to the economic conditions in the Islands, which emphasized the lack of racial solidarity; for, although the lower classes were overwhelmingly Greek in race and language, the aristocracy, especially in Corfu, was largely Italian, and appears to have cared more for the perpetuation of its control over the peasantry, so recently serfs, than for self-government. Moreover, the protecting Power, by its appointment of vast numbers of native officials as well as by its conservative constitution, had tied the aristocracy to its interests. The smouldering hatred of the Protectorate, however, always strong with the peasantry and the small tradesmen, was at last linked with the new spirit of nationalism kindled by the Greek revolution of 1843, and when, in 1844, there arose in the Islands a party with union with Greece as its platform, it rapidly swept all before it.

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[1] Corfu did not surrender until 1814.

[2] Cf. Dispatch of Earl Russell to the British Representatives. Documents, *post*, p. 844, for an explanation of the choice of Great Britain as protector.

[3] Article 3. *State Papers*, vol. 3, pp. 250 *et seq.*

[4] Cf. John Morley, *Life of William Ewart Gladstone*, vol. 1, p. 598.

Alarmed at the growth of this party, as well as at the spread of the revolutionary fever of 1848, the Lord High Commissioner, left free by the custom of the Foreign Office to institute his own policy, attempted to forestall unrest in the Islands by granting freedom of the press and a more liberal constitution. The size of the Assembly was increased and the election of its members was made free from government control; the ballot was restored and the electorate trebled, and eventually quadrupled, by reducing the requisite qualifications. But, while the press and parliament were thus liberated, the executive power was fixed more firmly than ever in the hands of the Lord High Commissioner.[1] The Assembly was still unable to stop supplies or eject ministers. Its only means of protest was to vote against the introduction of any government measure whatsoever, and this, with the passing of resolutions for the union with Greece, became the principal occupation of the Ionian Assembly.[2]

The electoral reforms of 1849 seem to have completely destroyed the government's control over the Assembly, by placing the new Assembly in the hands of the Unionists. The several complaints against the Protectorate now all became vocal. It had been a cause of irritation that, in spite of early pledges, Italian and not Greek had been retained as the official language, and that even now, when Greek had gained official status, not one of the " Residents " sent out from England to rule the several islands could speak a word of it. Taxation was neither uniform nor wise.[3] The Assembly, deprived of all constitutional means by which to express their many grudges, adopted the " insolent practice " of admitting a priest to purify the assembly hall after the departure of the Lord High Commissioner. With such an inauspicious beginning, it is not surprising to find the succeeding Commissioners frequently proroguing the body to stop its " treasonable " motions. More than that, in spite of the alleged freedom of the press, they imprisoned some of the editors of the Island newspapers, which were all unionist, thus increasing discontent. The faults of the system, unworkable enough at best, were clearly shown in an agrarian rising in Cephalonia, when the atrocities on both sides called forth from England's enemies taunts as to the English charges against Bourbon rule in Naples.[1]

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[1] *Kirkwall,* vol. 1, p. 175.

[2] This attempt to combine repression and constitutional reform again incurred Gladstone's satirical metaphor of lighting the fire and stopping up the chimney, which he had applied to British policy in the Principalities. *Morley,* vol. 1, p. 598, imputes the authorship of the simile to Charles Buller.

[3] *Kirkwall,* vol. 2, p. 296. Viscount Kirkwall had been a member of the staff of Sir Henry Ward, Seventh Lord High Commissioner. He remained in the islands until after the vote for union with Greece.

Liberal thought in England, with its admirable and unrivalled ability to see the mote in its own eye as well as the beam in the eye of another, had long before this become alive to the injustice of the arrangement, if not to the national aspirations of the Ionians. It now demanded a cessation of the scandal and a special mission was dispatched to the Islands in 1859. The mission was headed by Gladstone, " whose renown as a Homeric scholar " would " justly commend him to the sympathies of an Hellenic race." [2]

On November 24, 1858, Gladstone arrived at Corfu. His coming had created a sensation in the Islands and had greatly excited the hopes of the Unionists. Although, soon after landing, he took care to inform the islanders that he had not come to effect any change in the terms of the Treaty of Paris, nevertheless, the people were convinced that he had come to aid the union, and everywhere on his pilgrimage through the Islands he was met with the cries of " Union with Greece " and " Down with the Protectorate." Yet, as the Ionian gentlemen, noted for their politeness, and the officials, alarmed at such contretemps, disowned these proceedings, he seems to have believed that the cries represented only a small minority.[3] He proceeded to state explicitly that there was no thought of union, and, at his request, the shouting ceased, but the feeling remained. It had, indeed, gained added intensity from a dispatch of the resident Lord High Commissioner, Sir John Young, in which he had recommended that Corfu and Paxo, with the consent of their inhabitants (which he declared to be probable), should be constituted British colonies. This had been stolen from the Foreign Office and made public a short time before Gladstone's arrival. It was in fact the opinion of the British officials in the Islands that the only alternative to making Corfu a British colony was a cession of the Islands to Greece.[4] Gladstone was determined against either alternative, yet he clearly perceived many faults in the existing system. He found that the British severities in Cephalonia, the contempt frequently shown for the religion of the people, and the lack of understanding shown by the British press, which called the Ionians brigands, pirates and barbarians, as well as the lack of tact on the part of the Lord High Commissioner, had greatly embittered the inhabitants.[1] He saw that the existing system was bad for both parties, yet, considering that union would be disadvantageous for the Ionians themselves, he hoped that the Protectorate could be maintained, and that the desire for union could be cured by a grant of reforms.

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[1] It was the opinion in southern Europe that British rule in the islands was on a level with Austrian rule at Venice and the rule of the Cardinals in the Pontifical States. *Morley,* vol. 1, p. 616.

[2] From the dispatch of the Colonial Minister, November 1st, 1858. *Kirkwall,* vol. 1, p. 216.

[3] *Ibid.,* pp. 221–2.

[4] *Ibid.,* p. 229.

On January 18, Gladstone was made resident Lord High Commissioner of the Ionian Islands, which he accepted as a temporary post. On the day on which he assumed office the Assembly met in extraordinary session to hear the proposed reforms. To his message announcing his appointment and its object, the Assembly returned no answer save a veiled attack on the government which culminated two days later in a vote proclaiming that "the sole and unanimous will (Θέλησις)[2] of the Ionian people has been and is, the union of the Seven Islands with Greece." A committee of eleven was appointed "to submit to the Chamber its opinion on the ulterior measures suitable to the proclamation of the union this day adopted by the Assembly."[3] On the following day Mr. Gladstone sent a message to the Chamber pointing out the unconstitutional nature of its proceedings and advising that the committee of eleven should rather be employed to draw up a petition to the Queen, in accordance with the Constitution. After some opposition by the radical leaders, this advice was adopted by a great majority, all save a few radicals joining in it. The enemies of union hoped that in this way the question would be closed. The petition was adopted on January 30 and telegraphed to England by Mr. Gladstone on the following day.[3] At the same time he sent in his resignation.

The suggestion of relinquishing the strategic fortress of Corfu excited warm opposition in Great Britain. As Lytton had impressed on Gladstone, neither the British public nor its Parliament likes any policy that "gives anything up,"[4] nor is their attitude unique. On February 2 the Colonial Minister telegraphed the Queen's reply, which was a most unequivocal negative.[5]

The question of union being disposed of, Mr. Gladstone now introduced his bill of reforms, but nationality, not liberty, was the consuming passion of the Ionians and no other boon would suffice. Nor was the upper class in sympathy with the reforms, preferring that the Protectorate should retain its power. The Assembly, fearing that any other action on its part would weaken the effect of its vote for union, declared with only one dissenting vote that the reforms were inadmissible. On February 19, Mr. Gladstone departed, still devoted to the cause of reform in the British administration of the islands, but as little bitten by his experience here as in Italy with any enthusiasm for national aspirations.

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[1] Cf. *Morley,* vol. 1, p. 603.

[2] Gladstone sent back to the Foreign Office a scholarly discussion of whether this word meant "will" or "wish," a meticulous attention to detail which, in view of the evident intent of the voters, has caused some hilarity among the commentators.

[3] Documents, *post,* p. 838.

[4] *Morley,* vol. 1, p. 615.

[5] Documents, *post,* p. 841.

On the day before Gladstone's departure the committee of eleven had reported that the Queen's reply did not close the question of union. With this situation the new Commissioner, Sir Henry Storks, had to deal, which he did by declaring the Assembly prorogued.

The Italian war had created throughout Europe an agitation regarding nationality. To this the Ionians were acutely alive, and were not slow to point out the significance of the doctrine that each people is the only true judge of who should rule them, which had been expressed, in the Italian case, by Lord John Russell, now British Foreign Secretary.[1] The Assembly of 1861, encouraged by Italian success to follow Italian tactics, adopted two resolutions drawn up by the radical leaders of the Unionists; the one addressed to " the People, Governments, and Philanthropists of Christian Europe," attacking the despotic nature of the Government; the other proposing that the matter be left to a vote of the people by universal suffrage.[2] The Commissioner warned the Assembly that any discussion of these documents would be unconstitutional, and on its determination to proceed, prorogued it for six months.

In spite of the position now occupied by Great Britain in the Islands, the British Cabinet still persisted in opposing any change in the Treaty of Paris. On April 22, 1861, the Colonial Minister declared in the House of Lords that the Government was determined to maintain the Protectorate and on May 7, Gladstone, now Chancellor of the Exchequer, denounced the cession as nothing less than a crime against the safety of Europe.[3] When the twelfth Ionian Parliament opened on March 1, 1862, and in its animosity against the Government drew up a protest accusing it of various breaches of the Treaty of Paris, it, too, was prorogued. Matters had come to a patent deadlock. A new factor was introduced, however, in the summer of 1862, by the expulsion of King Otto from the throne of Greece. The filling of the vacant throne was an absorbing question for the three Powers, Great Britain, France, and Russia, who were guarantors of the kingdom by the treaty of 1832. On the deposition of King Otto the revolutionary government had offered the throne to a cousin of the Czar, who refused. The mass of the people, however, were determined to have Prince Alfred of England and the crown was offered to him in October. By an agreement established between the three Powers it had been settled that no member of their reigning families might occupy the Greek throne, and upon the deposition of King Otto, England had at once proposed to the other Powers that this principle be reaffirmed. The other Cabinets, so long as there appeared to be a chance of the choice falling on a prince of their respective nationalities, were eager to uphold the right of the people to make their own choice. When, however, they saw that the choice was likely to fall on Prince Alfred of England, the Powers agreed to the British proposal and signed a convention to that effect on December 4, 1862.[1]

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[1] Signor Dandolo, a leading Ionian, had in fact published a letter to Russell calling on him to carry out in the Islands the policy he had outlined in his famous dispatch to Hudson at Turin, dated October 27, 1860.

[2] Documents, *post,* pp. 841 *et seq.*

[3] *Kirkwall,* vol. 1, p. 267.

The Greeks refused to accept Prince Alfred's refusal and proceeded to elect him by a plebiscite. Before his election,[2] however, the British Cabinet, whether anxious to carve a way out of a position untenable in the face of the continued opposition of the islanders, or eager to strengthen the Greek kingdom as a counter balance to the growing Slav power, had, on December 8, 1862, adopted a resolution to surrender the Protectorate.[3] This resolution which, in view of the event, presumably contained the provision that it should be subject to the vote of the Ionian Assembly, was forwarded to the Provisional Government with the stipulations that if a suitable person were chosen as king, if the constitutional form of government were preserved, and if all attempt at aggression against Turkey were abandoned, the Ionian Islands would be ceded to Greece.[4]

The choice of Prince Alfred being out of the question, Prince George of Denmark, whom the British desired as a substitute, was elected by the Greek Assembly on March 3, 1863, and in the treaty of July 13 between Great Britain, France, Russia, and Denmark establishing the Danish prince as king of Greece Great Britain pledged herself to add the Ionian Islands to the realm of the new King " when such union shall have been found to be in accordance with the wishes of the Ionian Parliament and shall have obtained the assent of the Courts of Austria, France, Prussia, and Russia." [5] By a convention of August 1, these Courts, which had been signatories to the Treaty of Paris, agreed that when they should obtain certain knowledge of the assent of the Assembly, they were ready to come to an agreement with Great Britain with regard to the final terms of the treaty.[1] By this convention the consultation of the representatives of the Islands was reserved to the British Government.

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[1] *Cambridge Modern History,* vol. 11, p. 641.

[2] The plebiscite was held apparently in the second week of December. The result of the election was published at Athens on December 22 (N. S.). *The Times* (London), December 25, 1862.

[3] *Morley,* vol. 1, p. 620, *note,* "Dec. 8, 1862.— Cabinet Resolution to surrender the Ionian protectorate. Only Lord W(estbury) opposing." The *Cambridge Modern History,* vol. 11, p. 641, attributes the British cession to gratitude for the choice of an English prince. According to a dispatch of Drouyn de Lhuys, of November 17, 1863, the cession was made a condition by Denmark of the acceptance of Prince George of the throne of Greece, and France had encouraged the plan. France, *Affaires étrangères: Documents diplomatiques,* 1864. *Annexion des îles ioniennes à la Grèce,* p. 75.

[4] *Cambridge Modern History, op. cit.* and *loc. cit.*

[5] Documents, *post,* p. 848, Article 4.

In accordance with these international agreements the Lord High Commissioner convoked a new Ionian Parliament to vote on the question of union with Greece. The electoral qualifications for the new parliament were those of the electoral law of 1849.[2] By this it had been provided that the electors must be citizens, either native or naturalized, Christians, of 21 years of age, and literate. Further than this, the electors must own property, or if not, must fulfill other requirements of education, or of business or official standing. Those voting on a property qualification must own property worth three thousand dollars, if domiciled in a town, or of one thousand eight hundred dollars, if in the country. These amounts applied to the larger islands of Corfu, Cephalonia and Zante. In the smaller island of Santa Maura the requirement was one thousand five hundred dollars in towns and seven hundred and fifty dollars in the rural parts; in Ithaca, Cerigo, and Paxo the requirement was less. Sons living in their father's households and owning sufficient property might vote, as well as brothers living together, if together they should possess the requisite amount of property. If the elector claimed a vote on the basis of education, he must hold a degree or certificate in science obtained in the Ionian or foreign universities, or be a practicing advocate or attorney, or a physician, surgeon, or apothecary, or a professor or tutor in science, literature, or the fine arts, or a master in the Ionian College or in a secondary school. The vote was also given to officials in the public employment who were in receipt of a salary or life pension equivalent to the property qualification, and also to retail merchants if the returns on their capital were equivalent to the value of the property qualifications. The master or owner of a ship and the head of any manufacturing establishment might also vote. The usual proviso was added excluding all those who had been declared guilty of offences, other than political, unless their civil rights had been restored. The population of the islands was in 1862 a little under two hundred and fifty thousand; these qualifications yielded thirteen thousand four hundred and nineteen qualified electors.[3] To be eligible for parliament the candidate must be over thirty, and own property of twice the value of that of an elector, or possess other qualifications corresponding to those for an elector. The number of delegates allotted to Corfu, Cephalonia, and Zante, was ten each. Santa Maura was given six, and Ithaca, Cerigo and Paxo, two each, making forty-two in all.

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[1] Documents, *post*, p. 850.

[2] *Parliamentary Papers*, Colonies, 1850, vol. 36 [1276], p. 72.

[3] *Kirkwall*, vol. 1, p. 174.

The vote was held in the chief town of each district. The polls were open from seven A. M. to five P. M. on two successive days. At a public meeting some days previous to the election the candidates were nominated and the election officials elected. Voting at the election was by secret ballot. The method followed was novel; a ballot box with two compartments was provided for each candidate's name, one compartment, painted white, to receive the affirmative vote, one green, to receive the negative. The count was to be made by local native officials who for the most part were elective.

It appears that British opinion had failed to credit with sincerity the votes of the former delegates for union, arguing from the well-known Ionian love of office that in view of the fact that union would surely mean a reduction in the number of offices, the deputies were voting for it only while it was unattainable, and as a means of earning their constituents' support. The British officials had also firmly believed that the landed class would, if it came to a vote, prefer the sure protection of Great Britain with its conservative franchise to the doubtful protection of the weak Greek kingdom which had universal suffrage. This false impression had been aided by several petitions which had been presented, begging for incorporation as a British Crown colony. However widespread these views may have been among the British officials, and they were certainly held by the Commissioner, Sir Henry Storks, and by Gladstone,[1] they proved to be unfounded. There was scarcely a dissenting voice in the vote for union.

The Parliament opened on October 1, 1863. On the 3rd, it was addressed by the Commissioner, who stated that they had been convoked to inform him whether or not it was the desire of the people by whom they had been chosen that the Protectorate of Her British Majesty should cease and that the Ionian States should form henceforth a part of the Kingdom of Greece. In the same address he enumerated the conditions stipulated by the British Government, the important one being that of an obligation to make an annual payment of £10,000 to the Civil List of the Greek King. Should the vote be in favor of the union, he continued, the Queen would then invite the Powers which were parties to the treaty of 1815 to revise that treaty, in conjunction with France, which had been a party to the treaties respecting Greece, to make " such arrangements as should tend to the future welfare of the Islands and the permanent interests of Europe.[2] On October 5 the Parliament, with only three dissenting votes,[1] proceeded to vote a formal decree of union with the kingdom of Greece.[2] Regarding the conditions laid down by the Commissioner, the Assembly reserved to itself the right to declare its decisions, as soon as it should have been informed concerning the matters vaguely referred to by the Commissioner as " arrangements for the welfare of the States and the interests of Europe." As for the guarantee of an annual payment of £10,000 to the King's civil list, the Assembly made no answer whatever. The temper of the deputies was opposed to considering it as a compulsory measure. No action having been taken, the Commissioner, on the 13th, again called their attention to the subject, to which the Assembly answered with a request to modify the conditions.[3] The Assembly was finally forbidden to discuss the matter further and on October 21 it was prorogued, never to reassemble.[4]

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[1] *Kirkwall,* vol. 1, pp. 233, 284.

[2] Documents, *post,* p. 852.

The " arrangements for the welfare of the States and the interests of Europe " proved to be as displeasing to the islanders as was the guarantee of the civil list. The Powers had come to a secret understanding, on the demand of Great Britain, Austria and Turkey, that the cession should be accompanied by the razing of the fortifications of Corfu and the neutralization of the islands.[5] These conditions had not been mentioned by the Commissioner and when they were published in the British press they raised a fury of protest in the Islands, but, as in the case of the civil list, they were insisted on by the Powers.

The wish of the Ionian Assembly having been duly expressed on the question of union, and the British government having made the vote known to the guaranteeing Powers, the plenipotentiaries of Austria, France, Great Britain, Prussia and Russia met at London to take the next step. On November 14 they signed a treaty to the effect that, the condition of the vote laid down in the Convention of August 1 having been fulfilled, the Powers signatory to the treaty of 1815 now formally accorded their assent to the renunciation of the Protectorate by Britain, and to the union of the Islands with the Hellenic kingdom. The obnoxious clauses of neutrality and the razing of the fortress were included in the treaty. On March 29, 1864, a final treaty between Great Britain, France, Russia, and Greece, again referring to the vote of the Assembly as the condition which had been stipulated and fulfilled, legalized the cession and the termination of the British Protectorate was finally proclaimed by the Lord High Commissioner on May 28, 1864.

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[1] *Kirkwall,* vol. 1, p. 284. On p. 262 of vol. 2, Kirkwall says that the vote was unanimous.

[2] Documents, *post,* p. 853.

[3] There were three dissenting from this vote on the ground that all the conditions of union might be confided to the generosity of Great Britain. Possibly this accounts for the inconsistency in Kirkwall noted above.

[4] The treaty of March 29, 1864, recites in Article 5 that the Assembly on October 7/19, 1863, voted that the annual payment be made.— Kirkwall characterizes the demand as indefensible, as there was no reason to assign the King a special revenue from the Islands. It was later abandoned.

[5] France, *Affaires étrangères: Documents diplomatiques,* 1864, p. 75. Kirkwall says that the condition was insisted on by Austria against the wish of Great Britain.

## THE SCHLESWIG QUESTION, 1848—

The most widely known instance of a treaty clause providing for a plebiscite concerning a question of sovereignty is that of Article 5 of the treaty signed at Prague in 1866, whereby Austria and Prussia agreed as to the disposition of the Danish duchies. However, the suggestion of a plebiscite in Northern Schleswig does not begin with the Treaty of Prague, but dates from the struggle in the duchies between the German and Danish nationalist movements of 1848.

The fortunes of the two feudal duchies of Schleswig and Holstein had for many years been identified with those of the Kingdom of Denmark, although their union with the kingdom was purely a personal one under the Danish King, who had inherited the titles of Duke of Holstein and Duke of Schleswig. In spite of this ancient union, and of the fact that the two duchies had been for centuries closely allied or dynastically united with each other, they were of different racial texture. Holstein was wholly German in population and had been made a member of the Germanic Confederation in 1815. Except for the west coast and the North Sea islands, Frisian from time immemorial, Schleswig was originally Danish down to the river Eider, which was the historical frontier of Denmark. In the Middle Ages, however, it had received a large influx of settlers from Holstein, as may still be seen from the German place names along the Eider and through the south of Schleswig. During the close union of the two duchies this northward movement of German settlers continued and South Schleswig proper (bounded by the Schley-Dannevirke-Husum line to the north), eventually became solidly German in language and sympathies. This line of Schley-Husum at the end of the 18th century formed the frontier for race and language. During the 19th century, however, the German language, aided by Government pressure, by the influence of the Church, and later by a popular movement, penetrated further north, and by 1848 the linguistic frontier corresponded roughly to the line of Flensburg-Tondern.[1] This was only a very rough approximation, however, for throughout central Schleswig there were regions where sometimes the one race and sometimes the other were settled in solid blocks, and,

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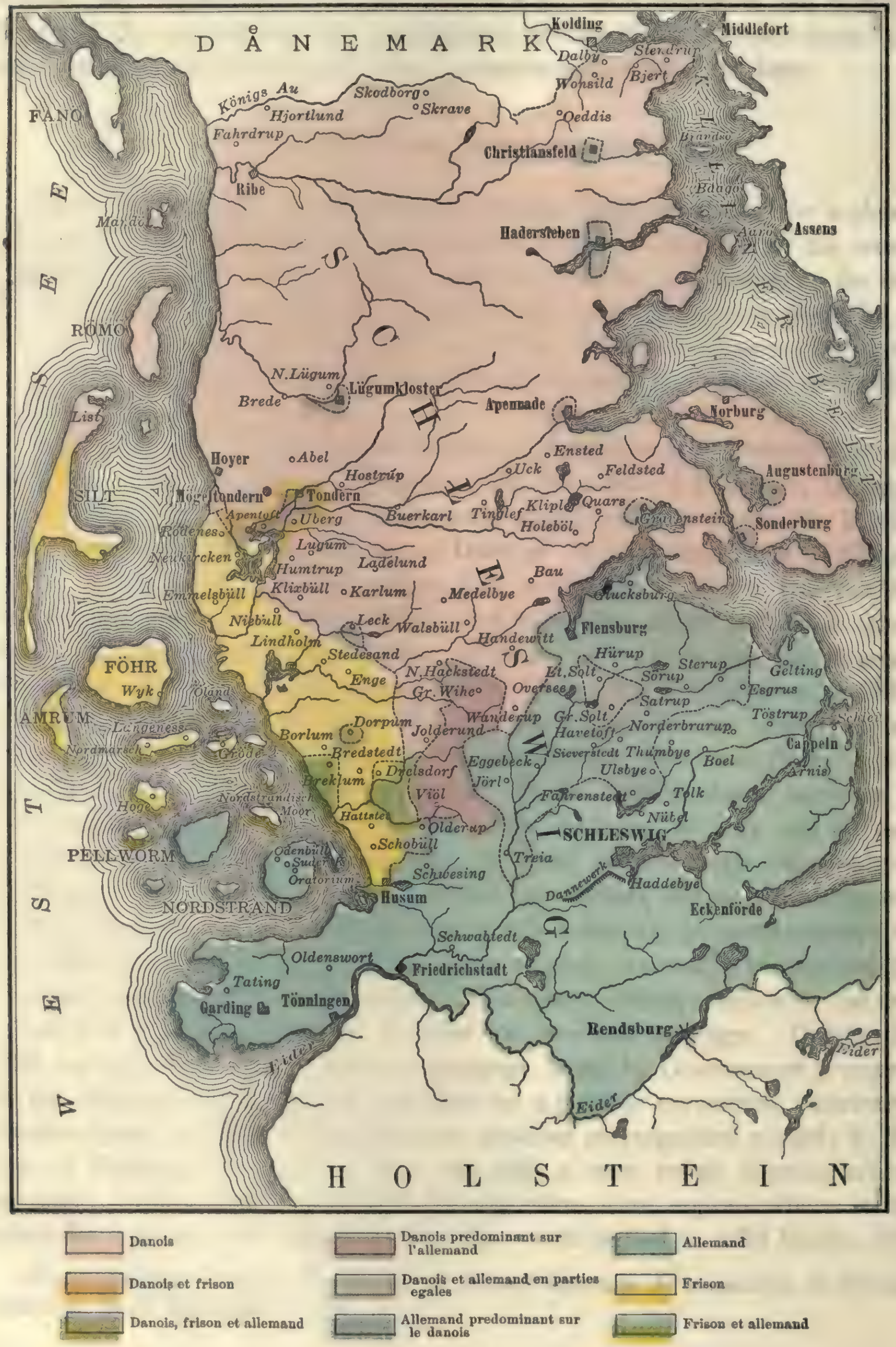
[1] Emil Elberling, "Partage du Slesvig" in *Manuel historique de la question du Slesvig.* Edited by Franz de Jessen, p. 139.

## MAP SHOWING THE DISTRIBUTION OF LANGUAGES IN SCHLESWIG, 1838

By F. H. F. Geerz

From Franz de Jessen: Manuel Historique de la Question du Slesvig. Troisième partie,



Danois
Danois predominant sur l'allemand
Allemand
Danois et frison
Danois et allemand en parties egales
Frison
Danois, frison et allemand
Allemand predominant sur le danois
Frison et allemand

in some places, where the two groups were mingled in the same parish. These so-called " mixed districts " of Schleswig contained the city of Tondern and forty-nine country parishes of the departments of Flensburg, Tondern, Husum and Gottorp. In eighteen of these parishes, in the centre of the region, Danish was used exclusively in ordinary speech, and there were eight parishes where German was the common medium.[1] The region properly referred to as mixed contained 23 parishes, chiefly in Anglia, and 29,879 inhabitants.[2] The total population of the duchy, according to the census of 1855, was 395,860. That of Holstein was about 500,000. Their combined area was approximately 700 square miles. Linked to the fate of the two duchies was that of the former Prussian Duchy of Lauenburg, lying along the Elbe to the southeast of Holstein, and given to the Danish King in 1815.

Although both Schleswig and Holstein had for many years been ruled by kings of Denmark, the law of succession in the kingdom and in the duchies was different, the kingdom being heritable in the female line, and the Salic law still being in force in the duchies. The imminent danger of the failure of the male line, which was the only common heir, had given rise in Denmark to an agitation to induce the king to change the law of succession in the two duchies, and to make them an integral part of the kingdom of Denmark. Christian VIII had accordingly, by a rescript of July 8, 1846, arbitrarily decreed the continuance of the union of the duchies with Denmark in spite of the different laws of inheritance in the two states. These efforts had called forth such violent protests[3] from the Estates of the duchies, that the matter had been left in abeyance. Christian soon died. His successor, Frederick VII, was forced by a revolutionary movement in Copenhagen to issue a rescript on January 28, 1848, announcing that there would be a single constitution for the three units, Holstein, Schleswig, and Denmark, leaving to the duchies autonomy in local matters, but providing for common estates. This supreme effort of the Danish party of expansion occurred at the very moment when the new German nationalist spirit was eager to unite under the Germanic Confederation all territories inhabited by the German race. And as the Danish nationalist party had not been content to incorporate only

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[1] The German contention was that the Danes in North Schleswig were peasants, whereas the men of property were for the most part German. However true this may have been in 1848, it is obvious from the map on opposite page that the situation had changed radically by 1906.

[2] This account is taken from P. K. Lauridsen: "La situation des langues en Slesvig," in *Manuel historique,* pp. 114–18 and 122. See map on opposite page.

[3] See *State Papers,* vol. 40, p. 1253, for protest of the Estates of Holstein against the vote of the Roeskild Assembly in Denmark for uniting the two duchies to Denmark. The union was strongly opposed by Duke Frederick of Augustenburg who had strong claims to the duchies, but none to Denmark.

Danes in the Danish kingdom, so the German nationalists coveted the incorporation of the whole of Schleswig, as well as of Holstein, in the Confederation, and to do this made use of the argument of the indissoluble union of the duchies.[1] The estates of the duchies, in warm sympathy with the Germanic movement, answered the royal rescript with a demand for the incorporation of Schleswig under the sovereignty of the Danish king, as a state in the Germanic Confederation. This they said was the only means of safety against the Danish imperialists. Their demand was carried to Copenhagen in March, by the delegates to the constituent assembly who, true to their instructions, laid before the Danish Government the demand for incorporation.

It is in these discussions at Copenhagen that we hear the first suggestion of a division of Northern Schleswig by a plebiscite. The plan, which required leaving to the vote of the inhabitants, taken by parishes, the question of incorporation in Denmark or in the Confederation, appears to have been proposed by two of the German delegates from the duchies, Clausen and Olshausen, to the Danish Minister, Lehmann. How much support it actually received from the Danish government is uncertain. Certainly it received no official assent, although there appears to have been some hope of this for a short time in March.[2] The King, however, although yielding a separate constitution for Holstein, answered the demand of the duchies not only by refusing the incorporation of Schleswig in the Confederation but by incorporating it as an integral part of the Kingdom of Denmark.

Without waiting for the king to reply to their demands, the duchies had broken into open insurrection. On March 24, a provisional government had been erected at Kiel, which, proclaiming that the duke was no longer free but under the influence of the Eider Danes, called its supporters to rally with their arms, " to preserve their German land from being absorbed." A week later, on March 31, the Provisional Government issued from Rendsburg a proclamation to the Danish people, promising that the people of North Schleswig should freely declare whether they desired to be a province of the kingdom of Denmark or to follow the German nation, although, " so long as the male line rules in Denmark they offer to the Danes an honorable alliance and a common sovereign." [1]

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[1] The view of the German inhabitants of the duchies and that of many of the Danish inhabitants was that this union was a constitutional right and could not be taken from them. The Danish view was that it was a visionary affair, belief in which was of modern origin, due largely to the propaganda of various German professors at Kiel. Elberling in *Manuel historique,* p. 159. The right to union had, however, been formally recognized in various royal rescripts of the Danish crown and had an undeniable historical basis.

[2] Sten Bille, the Danish admiral who carried the delegates back to Kiel recounts in *Bidrag Til Martsdagenes Historie,* Hist. Tidsskrift, R. VI, p. 413, that one of the delegates showed to him a map and drew a line across it nearly as high as Flensburg, saying that they might have supported that line as a basis for such a solution, but that the Danish ministers had refused it. *Manuel historique,* p. 137.

Danish troops were at once dispatched to Schleswig. The revolt in the duchies had occurred at the time when the revolution in Berlin was at its height. The Prussian Government, seeing the popularity of a movement in harmony with the growing nationalist sentiment, made the marching of Danish troops into Schleswig the excuse for dispatching Prussian troops into Holstein. This action was endorsed by the Germanic Diet at Frankfort, which, on April 4, formally declared that the Federal German State of Holstein was in danger of being attacked and that the Prussian action was approved. The Diet in the same proclamation offered mediation based on recognition of the independence of the two duchies and their right to indissoluble union. Great Britain who, with Russia, had guaranteed the possession of Schleswig to the Crown of Denmark in 1721, looked with great disfavor on the action of Prussia, and threatened to send her fleet to preserve the *status quo*. Russia, France and Sweden also opposed Prussia and the Confederation. The latter refusing to withdraw its troops, mediation was offered by Great Britain and Russia, and accepted by Prussia and the Diet.

The proposal for a vote in North Schleswig had been quickly adopted by von Arnim, the Prussian Minister for Foreign Affairs. With Great Britain giving full support to the Danish cause and the other Powers ranged beside her, it was plain that Germany would not be allowed to absorb the whole of Schleswig: von Arnim saw in the proposal of a vote in North Schleswig a method by which, by adhering to the principle of nationality and thus sacrificing a part of Schleswig, the remainder of the duchy, as well as all of Holstein, could be claimed by the Confederation by an unquestionable title. He accordingly informed the Diet and the British Cabinet that Prussia would agree to a plan of armistice if there were included in the principles of peace not only a recognition of the indissoluble union and independence of the duchies, and inheritance through the male line only, but also the division of Northern Schleswig according to nationality as established by a vote.[2] Although the Provisional Government had itself been the author of this last point of the vote, and it had gained wide support in the duchies,[3] the coming of aid from both Prussia and the Confederation had raised hopes of gaining the whole of Schleswig, and the same Provisional Government now vehemently objected to a vote on the ground that " the sacrifices of the sanguinary struggle which had occurred since its proposal would not justify it, for simple considerations of equity, in adhering to a principle which would infringe on higher interests and national rights "; [1] a curiously naïve statement of a familiar argument. A spirited correspondence followed, von Arnim replying flatly that Prussia's influence was to be had only for an object possible of attainment, and that for this the vote was a necessity,[2] and the Provisional Government countering with the objection that no true frontier could be arrived at by a division, owing to the mixture of languages and social conditions, for even in Northern Schleswig it pointed out that although the peasants were undeniably Danish, the landed proprietors were German; furthermore, it would be abandoning the excellent ports of Apenrade and Flensburg, which were mostly German.[3] Von Arnim persisted, answering these arguments with the practical one that any departure from the *status quo ante* would require a " compensation," and that a vote would supply an argument for division which might be justified before the European Powers and consented to by Denmark.

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[1] Documents, *post*, p. 864.

[2] Elberling says that von Arnim hoped that a vote would give Germany the line of Apenrade-Tondern although he knew the linguistic frontier to be approximately Flensburg-Tondern. *Manual historique*, pp. 139, 152.

[3] In the debate on April 3d in the common assembly of the duchies at Rendsburg, three of the chief delegates declared that no obstacle would be put in the way of the people of Northern Schleswig if they should evince a desire for Denmark, "for the happiness of a people can not be effected in spite of themselves." The Prussian Major Wildenbruch, who had been sent by his government to conduct negotiations with the Danish authorities after the battle of Schleswig (early in April) had found that in Rendsburg opinion was

In spite of the fact that the Provisional Government had instructed their representatives at both London and Frankfort to oppose the division, the Diet, at the instance of von Arnim, resolved on May 30 to adhere *in toto* to the Prussian propositions for an armistice and peace preliminaries, emphasizing in its turn the stipulation that no part of the duchy of Schleswig could be detached except by the free consent of the population.[4] No special protection was demanded for the German minority.

Meanwhile, Bunsen, the Prussian Minister at London, had proposed the Prussian bases for an armistice to Palmerston on May 18. Palmerston, in his capacity as mediator, replied that he would recommend them to the Danish Government. With regard to drawing the line of separation through the mixed districts, Palmerston, however, suggested that " instead of going through the difficult process of a detailed appeal to all the inhabitants of each district, the line be drawn according to ascertainable statistical facts." [5] He

unanimous that in case of a separation it should be done by vote and that a line to the north of Flensburg and Tondern, leaving to Denmark the islands of Als and Ærö would form a frontier satisfactory to the Provisional Government. Elberling, in *Manuel historique*, pp. 137–8.

[1] Documents, *post*, p. 866.

[2] Documents, *post*, p. 870.

[3] Documents, *post*, p. 871.

[4] Martens, *N. R. G.*, vol. 12, p. 290, *note*. Elberling, in *Manuel historique*, p. 139.

[5] Documents, *post*, p. 874.

submitted the plan of a partition to Denmark but it again found enemies among the Danish statesmen. The Danish Government replied to Palmerston that a separation would divide communes and even families and that the greater part of the population would prefer annexation to either Denmark or Germany.[1] In spite of Palmerston's advice, Denmark refused to accept any division, and insisted upon counter proposals which provided for the complete evacuation of Schleswig, the Provisional Government to continue to administer the duchies until the final settlement of the question. Bunsen, however, clung to the vote, and replied to Palmerston with a plan, available under the Danish proposal, for securing a free and unbiased opinion of the political opinions of the inhabitants as to incorporation with Denmark.[2] By this each of the two belligerents, Germany and Denmark, were to send commissioners, and England, as mediating Power, was to send a third, the three to oversee the vote which was to be administered by the Provisional Government, the representatives of the mediating Power to act as umpire.

During the negotiations the matter came up for debate in the German National Assembly at Frankfort on June 9, on the presentation of a report of the Committee on International Questions.[3] In the debate the Austrian President of the Germanic Diet endorsed the proposed division by vote, though he felt confident that the vote would be against any division, an opinion which must have been confirmed by the speech of the two delegates from North Schleswig.

On June 23 Palmerston, still omitting the suggestion of a vote, submitted to the Danish and Prussian Ministers in London a plan for an armistice which contained two alternatives as to the disposition of Schleswig; the first, that it should be divided according to nationality, the northern part to be incorporated in Denmark and the southern in Germany; the second, that it be kept intact and be administered by a joint administrator for Schleswig and Holstein. To this Bunsen replied flatly on June 24, " that Germany can not give up the principle, adhered to on all occasions, that no separation of any part of Schleswig can ever be thought of, unless the population in the northern districts themselves declare, by an open and unbiased manifestation of their intention to that effect, that they wish to be separated from the rest of the duchy." [4]

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[1] Elberling in *Manuel historique,* p. 140.

[2] Documents, *post,* p. 875. Elberling, p. 139, says that Bunsen, who was more sympathetic with the Provisional Government of the duchies than was his Government, urged on Palmerston that North Schleswig should form, after the division, a separate duchy, independent like the rest of Schleswig, and that the German minority should be protected. *Manuel historique,* p. 139.

[3] Documents, *post,* p. 879.

[4] Documents, post, pp. 876, 878.

Although acceptance of a division according to nationality afforded an opportunity for Denmark to gain the Danish part of Schleswig irrevocably, the Danish Government continued to refuse to recognize the new doctrine of nationality and rested its case on treaties and historic right.[1] Among the Schleswig refugees at Copenhagen, there was also great unwillingness to accept the idea of a division. Even the distinctly Danish people of North Schleswig went so far as to threaten that they would choose annexation with the rest of Schleswig to Germany, rather than a divided Schleswig,[2] and protests and petitions were drawn up to this effect. There were, however, a few Danish individuals who favored the plan. A quantity of pamphlets appeared supporting the two parties, the party of nationality and the party of the indivisible monarchy; those for a division placing their emphasis on division according to the linguistic frontier rather than by a vote, as the means of settling the problem.[3] The Danish government, however, refused to discuss the point and would treat only regarding a suspension of arms and the provisional administration of the duchies. Prussia, although propelled by the clamorous desire of the German nationalists, dared not persist in the face of the threatening attitude of the European Powers. In an armistice signed on August 26 at Malmoe, she yielded practically all the Danish demands, and, although hostilities soon began again, the war ended with the *status quo ante*.

Although peace was effected in 1849 it was sufficiently apparent that it would be only temporary and there was constant effort on the part of European diplomacy during the succeeding years to effect a permanent solution. The chief effort was directed towards settling the dynastic quarrel; the idea of a division as a compromise was, however, not forgotten. Palmerston continued to urge it. The only agreement reached, however, was that by a conference of the Great Powers at London in 1852 which attempted to adjust the issues at stake by buying off the claims of the Duke of Augustenburg, and by confirming to the Danish King the succession in the duchies, while providing that the union between them and Denmark should be purely personal.

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[1] To its representatives abroad Denmark admitted that it might accept the line Schley-Husum, leaving the city of Schleswig to Germany.

[2] In support of this statement Elberling gives several names and cites the *Dagbladet* of May 10, 1848.

[3] Elberling mentions especially *Le partage du Slesvig* by H. E. Schack and a pamphlet entitled *La question Slesviçoise* by H. A. Raaslöf, (Minister for Schleswig, 1854–56, and for Holstein, 1860–61), published in November, 1848, under the signature of "Theophilus," in which he advocated consideration of the wishes of the people of the south of Schleswig as well as those of the north. He advocated a division along the Dannevirke, but without annexation of the northern part to Denmark, and hoped for a solution by a special assembly of representatives not only from Schleswig, Denmark, and Holstein, but also from Sweden and Norway and Germany. He was the first to see it as a Scandanavian as well as a German question.

The prestige given to the principle of nationality by the Italian war of 1859 once more brought the proposal of a partition of Schleswig into diplomatic notice. Schleinitz, Prussian Minister for Foreign Affairs, declared in August and again in October, 1859,— that is, after the war in Italy,— and again in May, 1861, that division was the only solution capable of satisfying all parties. The Cologne *Zeitung,* the Hamburg *Nachrichten* and the London *Morning Post* all supported it,[1] and Bismarck, on his entrance into the Prussian government (September, 1862) spoke in favor of this partition to Lord Russell.[2] The idea of a division had, however, been abandoned by the neutrals, owing in part to the great desire of Austria to keep the Danish monarchy intact.

Counting on the continued support of the Powers, the Danish government had persisted in the hope of retaining not only the whole of Schleswig, but Holstein as well, and had prevented any support of a division by keeping the people in ignorance of the growing storm. So unconscious, indeed, was the Danish Government of its predicament, that, in 1863, at the very moment when the three forces, the dynastic ambitions of the House of Augustenburg, the theory of the political unity of Schleswig and Holstein, and the exalted national sentiment of the German people, fusing in the able hands of Bismarck and gathering momentum from the growing belief in the national right of people to dispose of themselves, were threatening Denmark and her ancient rights based on treaties and inheritance, Christian IX, propelled by an overwhelming enthusiasm on the part of his Danish subjects, signed a constitution which, contrary to the London agreement, unified the political institutions of Denmark and the duchies. The German answer was an opposing wave of national patriotism from the people of Austria and Prussia, the two governments vieing with each other as leaders in the national cause. Christian IX on his side refused to yield.

In 1864 when the storm broke, the European situation, which had made it to the interest of the Powers to protect Denmark in 1848, had changed. France was disposed to be friendly to Prussia at the moment.[3] Rnssia and Great Britain were the only ones still concerned in preserving the monarchy but neither now felt it worth a show of force. On February 1, 1864, the Austrian and Prussian forces crossed the Eider into Schleswig, ostensibly to take possession of the duchy as a guarantee of the execution of certain undertakings made by the Danish government in 1852 and since repudiated. After a courageous but hopeless struggle the Danish troops were forced back into

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[1] Elberling, *Manuel historique,* p. 150. The reference to the *Morning Post* is to the issue of March 26, 1861.

[2] *Ibid.,* p. 151.

[3] It is said that Napoleon was supporting Augustenburg on the theory that he represented the principle of nationality.

Denmark. But although the whole of the continental part of the kingdom was evidently soon to be at the mercy of the Allies, Denmark was maintaining an effective blockade against Germany which was a sufficient embarrassment to induce them to accept the mediation of the Powers. On the invitation of the British Government, plenipotentiaries of Austria, Denmark, France, the Germanic Confederation, Prussia, Russia, and Sweden and Norway, met in conference on April 25, with the object of agreeing on a plan for peace between Denmark and Germany.

Even before the plenipotentiaries had gathered, it was obvious to those acquainted with the attitude of the German States that there was little hope of an agreement on the lines of the arrangement made at London in 1852. Napoleon, seeing this, and anxious that before the Conference met some possible way out of the dilemma might be in readiness, revived the plan of a solution by a vote of the inhabitants. On March 20, Drouyn de Lhuys, Minister for Foreign Affairs, sent a dispatch both to London and to the German Courts in which he proposed that if the London agreement failed of acceptance the settlement of the question should be left to a vote of the inhabitants of the duchy.[1] Whether or not this was with the prime intention of annoying Austria, as is asserted by von Sybel,[2] Rechberg at once declared that Austria would never countenance such a revolutionary proceeding. The Berlin authorities, however, although quite as little inclined as Austria to abet Napoleon in his method of founding States and Governments on plebiscites, was more anxious to propitiate their powerful neighbor and declared a friendly willingness to discuss the matter. Bismarck professed a corresponding solicitude for the will of the inhabitants, who, he said with some irony, had been bartered at the mercy of third parties by former congresses, including that of London of 1852. Yet, he added, although an important point, it was not the only one demanding attention: existing rights, treaties, and the convenience of all parties must be considered.[3] To avoid definite commitment he endeavored to turn the discussions to the project of the Kiel Canal in which Napoleon was interested. Drouyn de Lhuys, in order to make the proposal more palatable, explained that France attached no special importance to the question whether the will of the people of Schleswig-Holstein was to be expressed by a plebiscite or by a vote of the Estates, but added that during the vote the troops of both of the contending parties should be removed from the country, a development which met with the decided disapproval of von Goltz, the Prussian ambassador at Paris.

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[1] Documents, *post*, p. 883.

[2] Heinrich von Sybel, *The Founding of the German Empire*, vol. 3, p. 341.

[3] Von Sybel, pp. 341–3. Von Sybel, as is well known, had access to unpublished official documents.

Pursuing the matter, Drouyn de Lhuys, on April 9, made a definite statement to the Prussian ambassador that the Emperor was in favor of a complete cession of Holstein and of that part of Schleswig lying south of the proposed canal,[1] the people to be consulted, either through a plebiscite or a vote of the Estates. If the people wished to form an independent state under the Augustenburg prince, France would raise no objections, although she could only regret the founding of another small state. If, however, the vote should be in favor of uniting with Prussia, Napoleon would, in the conference, make their cause his own. Drouyn de Lhuys showed further how few objections could be raised against such a system; the inherent grandeur of the idea, he said, must meet with irresistible success in the Conference.[2] To this Bismarck sent an answer on April 14 that the King had expressed his concurrence with the general plan of division proposed by France, although he must insist on more favorable conditions for the German element in the duchies and, more especially, a more northerly situation for the canal or for the frontier, although, if the alternative of annexation to Prussia, proposed by Drouyn de Lhuys, should be decided on, this demand would be more moderate. As to a vote, he wrote:

> Prussia will at all stages of the conference certainly insist upon consulting the will of the inhabitants, about which we are negotiating with Vienna, and upon the proposal of a canal, although Russia will not listen to it. Yet it will not be advisable to call upon the people to cast their votes at the very outset. If the vote should be taken now, it would be in favor of Augustenburg, but against any division of Schleswig, and, consequently, not in accordance with Napoleon's wishes.
>
> Prussia therefore intends to bring forward at first in the conference the demands made hitherto: personal union with Denmark, admission of Schleswig into the Germanic Confederation, and elevation of Rendsburg to the rank of a Confederate fortress, and of Kiel to a Confederate port. Denmark will surely reject these demands, and prefer rather the cession of Holstein and of a part of Schleswig. Then the people will see that there must be a division in any case, and they will make up their minds to it.
>
> The same is true of the question, to whom the territory which is ceded shall belong? Prussia, of course, would prefer the plan of annexation; but the people will not vote for that, until the other plan has proved itself to be hopeless, and the matter is reduced to the simple question: Prussian or Danish? Moreover, the postponement of the decision, so long as the occupation of the country continues, would not be prejudicial to Prussian interests.[3]

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[1] On April 19 Napoleon signified his assent to the line Schley-Husum, a line at that time thought of for the canal, or any other provided Prussia gained the consent of the people to it. *Von Sybel,* vol. 3, p. 351.

[2] This summary of the Conference of April 9 (between de Lhuys and von Goltz) is quoted from *von Sybel,* p. 345.

[3] *Ibid.,* pp. 349–50.

Meanwhile the time for the opening of the Conference had arrived and the plenipotentiaries had gathered in London. A suspension of hostilities was the first subject of debate. After a long discussion of terms, a four weeks' armistice was finally agreed on. In conformity with the Prussian plan, the suggestion of a division was not at once brought forward. The month went by before any hope of agreement was reached. The plenipotentiaries of Great Britain and France supported the Danish insistence on the rights of inheritance of King Christian IX over all the countries of the Danish monarchy as provided in the Treaty of London of 1852, whereas the Germanic Confederation, which had not been represented at the signing of the treaty of 1852, refused to consider itself bound by it, and, supported by Austria and Prussia, insisted on the complete independence of the duchies as the first essential of peace. On May 28 matters were brought to a head by a motion which was introduced by the plenipotentiaries of the German Powers, calling for the establishment of Schleswig-Holstein as an independent State under the sovereignty of the hereditary Prince of Augustenburg.[1]

Before this attitude of the Germanic Powers the neutrals were helpless unless they wished to come to Denmark's aid openly. As Bismarck had foreseen, division was the only alternative. Perceiving this the Earl of Clarendon, abandoning all hope of agreement on the lines of the convention of 1852, had, in consultation with the neutrals, drawn up a new proposition to respect the national aspirations of both races by giving to Germany Holstein and southeastern Schleswig, from the mouth of the Schley to the rampart of the Dannevirke, and by allowing the rest of Schleswig to be incorporated in Denmark. This gift of the mixed districts to Denmark was defended by the French representative on the ground that as there was bound to be dissatisfaction among the inhabitants, no matter to whom they were given, the region should go to the weaker power. The plan further stipulated that the future sovereignty of the Duchies of Holstein and of Lauenburg, as well as the southern part of Schleswig, was not to be fixed without their consent. Following an arrangement with the German delegates, this plan was proposed on May 28, by Clarendon, immediately after the German motion.

The new proposal at first gave promise of success. The German and Danish plenipotentiaries, after some debate, accepted in principle the propositions both of division and of appeal to the vote of the people of the southern territory. It remained to agree on the line south of which the vote was to be taken. England had proposed the line of Schley-Husum; Prussia proposed a line far to the north, namely, the line of Apenrade-Tondern, which Count von Arnim had had in mind in 1848.[2] The Prussian plenipotentiary later let it be hoped that his government would consent to the line of Flensburg-Tondern,[1] a line which accorded somewhat better with the linguistic frontier. Denmark, relying on the support of the British public, held to the lines Schley-Husum or, preferably, Eckernforde-Friederichstadt. Bismarck had been waiting for the Conference to reject the Augustenburg motion, before making his proposal of a vote of the populations, the idea originally introduced by the French.[2] Accordingly, at this point the plenipotentiaries of the Germanic Confederation announced that the principle of consultation of the inhabitants should be extended to any territory separated from Schleswig as well as applied to any separated from Denmark; in other words that there should be a vote taken in the north as well as in the south of Schleswig. This application of the principle of popular consultation raised a storm of objection in the Conference on the ground of the impropriety of consulting subjects as to whether they would remain under their rightful king. Denmark refused absolutely. Great Britain, Sweden, and Russia supported her,[3] as well as France, who was determined to adhere to the neutrals' proposal of May 28. Seeing that her proposition was useless, Prussia then mentioned the possibility of limiting the vote to the mixed districts, in order to draw a line of frontier, and the suggestion was endorsed by the Germanic Confederation.

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[1] For the significant passage in the protocols, see Documents, *post*, pp. 886 *et seq.*

[2] Elberling in *Manuel historique*, p. 171, says that it is easy to understand that Germany

Throughout the discussion Austria, though supporting the plan of division, had consistently objected to any popular consultation. Russia, also seeing in any European endorsement of such a method a threat against absolutism, had made even more earnest protests. At this point, and before any discussion on the new German proposal was possible, Brunnow, the Russian plenipo-

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could not support the British line, as it gave her only a small part of the territory in question, and left to Denmark precisely the region where the antagonism of nationality was strongest, namely the peninsula of Angel, which was half Germanized and wholly German in sentiment.

[1] Elberling cites a letter of Geffcken of June 4, containing a statement by Bismarck himself to M. Jules Hansen, a Dane, some months later, as proof that the Prussian government would have accepted the line. Bismarck said that Prussia might even have consented to a line from Gjelting to Bredsted. *Manuel historique,* p. 152.

[2] Von Sybel implies that Bismarck had abandoned the idea and returned to it, "unwilling to lose the opportunity of employing practical means on account of theoretical scruples." On May 21, Bismarck, with the approval of the King, had written to Werther, "After putting aside the consideration of Christian IX, the claims of Augustenburg are doubtless the ones that could under the present conditions be most easily realized, and with the least danger of European complications. There would be nothing to fear in the way of opposition from the Duchies themselves; and any tendency towards *suffrage universel* could also be avoided. We are therefore not disinclined to favor this solution of the problem, if we may hope for the cooperation of the Imperial Government." *Von Sybel,* vol. 3, p. 372.

[3] *Von Sybel,* vol. 3, p. 399, says that the opposition of the Danes and their friends was due to a fear that an official inquiry into sentiment in North Schleswig would seriously injure the Danish cause.

tentiary, read a summary of the debate in which he stated that the method of solution indicated by the Court of Prussia had not gained the support of the Conference. This statement, sufficiently inaccurate at its best, when taken apart from the detailed debate preceding and following, is absolutely misleading: yet it is repeated in the final summary of the Conference, printed at the end of the protocols, and is undoubtedly the cause of the commonly repeated but erroneous statement that the London Conference repudiated the method of a plebiscite. Far from that being true, the same suggestion of a plebiscite in the mixed districts, brought forward almost immediately after by France, as we shall see, was endorsed by all the other Powers save Russia and Austria, and would doubtless have been adopted had there been the necessary agreement as to delimitation of the territory in which the vote should be taken.

After Brunnow's summary was read, Russell introduced a new proposal, namely, that the question of the line be submitted to arbitration, the award to be final. This failing to gain the support of either the Danish or German plenipotentiaries, de la Tour d'Auvergne, in accordance with his instructions of June 11, from Drouyn de Lhuys, as to his course in case agreement on the boundary could not be reached by other means,[1] then proposed that a vote be taken by communes in the district bounded on the north by the line suggested by the German plenipotentiaries and on the south by the line insisted on by the Danish plenipotentiary. His plan included the details that all military force be removed from the region prior to the balloting and all possible pressure guarded against, and that each Power should send a delegate to bear witness to the authenticity of the vote. To this the plenipotentiaries of Prussia and the Germanic Confederation agreed, *ad referendum*, and those of Great Britain approved it, subject to the Danish King's decision. The Danish plenipotentiaries, however, refused to accept it, even *ad referendum* and, the truce having come to an end, the Conference broke up on June 22. The summary drawn up by the British plenipotentiaries and annexed to the protocols shows that this inability to reach an agreement on a delimitation of territory for the vote, rather than on a vote itself, was the cause of the futility of the London Conference.[2]

The truce ended on June 25. The German troops soon forced the Danes to make a peace far more disastrous than any discussed in the Conference of London. Not even the northermost part of Schleswig was left to them. By the terms of peace drawn up on August 1, and signed on October 30, 1864, the King of Denmark renounced all his rights over the duchies of Schleswig-Holstein and Lauenburg in favor of the King of Prussia and the Emperor of

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[1] France, *Affaires étrangères: Documents diplomatiques*, 1864, p. 25.

[2] Documents, *post*, p. 932.

Austria, and undertook to recognize any dispositions which the said monarchs should make in regard to them.[1] The treaty itself indicated the line of frontier and instituted an international commission to complete the line on the spot, without any suggestion that any part of it should be determined by a vote of the people. The only provision for the expression of a desire on the part of the inhabitants was in the six years' option clause contained in Article XIX, which gave a period of six years to Danish subjects domiciled in the ceded territories in which to exercise the right of choosing Danish nationality and of transferring themselves, their families, and their personal property to Denmark, while keeping their landed property in the duchies. The Danes were at last convinced by the peace that the division by nationality was the only solution and bitterly regretted their refusal to cooperate in it.[2]

Prussia and Austria first essayed to administer the duchies in common, an arrangement which, as Bismarck had planned, led to endless altercation. The compromise attempted through the Gastein Convention, which gave the administration of Schleswig to Prussia and of Holstein to Austria, served, through the oppressive Prussian rule over the Danes of North Schleswig, to intensify their longing for separation and for a union with Denmark. In this they continued to have the support of Napoleon, and to his representations Bismarck, whether or not in sympathy, never gave a decisive negative. The Prussian King, however, was determined against any division.

Two years after the joint conquest of the duchies, a short war broke out between the conquerors.[3] As a result, by the Preliminaries signed at Nikolsburg in July, 1866, and embodied in the Treaty of Prague, signed on August 23d, Austria ceded to Prussia all the rights acquired over the duchies of Holstein and Schleswig, with the condition that the population of the northern districts of Schleswig should be ceded to Denmark if, by a free vote, they should express a wish to be so united.[4]

It is said that this clause is due to a hope entertained by Prussia that by surrendering North Schleswig she would gain the acquiescence of France in the reorganization of Germany. The project of the Kiel Canal was unaffected by the matter for its proposed course lay far to the south of the mixed districts and well within the German-speaking territory. Bismarck appears to have accepted the clause in good faith,[5] and in the beginning certainly defended it in the Reichstag. But, however honest his intentions, he would not risk a struggle with the King and the military party for the sake of fulfilling the treaty provision and, without waiting for the promised plebiscite, the duchies in their entirety were formally united to Prussia by an act of incorporation on January 12, 1867.

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[1] Documents, *post*, p. 933.

[2] Elberling, "La paix de Prague 1866," in *Manuel historique*, p. 299.

[3] It seems unnecessary here to go into the intricate claims and counterclaims of the various princes, supported by Prussia and Austria in their efforts to gain exclusive control of the duchies, nor the relation of the Seven Weeks' War to Bismarck's policy of German unity.

[4] Documents, *post*, p. 935. See Article 5.

[5] Elberling credits Bismarck with "just and benevolent intentions." *Manuel historique*, p. 307.

Notwithstanding the annexation, however, negotiations were entered into by Prussia and Denmark at Copenhagen on May 7, 1867, regarding the conditions of the proposed plebiscite. The proceedings of the conference are not published, but the outline may be gathered from various sources of information. It appears that Prussia proposed, as primary conditions, special guarantees of a drastic nature regarding the legal status of Germans and the German language in the part of Schleswig which might be retroceded.[1] These conditions were so severe as to give the Danes the impression that Prussia did not wish to reach an agreement, and to stimulate the fear that the granting of the guarantees would lead to intrusion by Germany in Danish affairs.[2] Prussia, refusing to modify her demands, the negotiations, in spite of the efforts of the French government to aid in effecting a settlement, were broken off, and, after a few months of continued discussion in Berlin, in which the Prussian demands were still insisted upon, the matter dropped.

Of the 150,000 people of North Schleswig, about 50,000, taking advantage of the option clause in the Treaty of Vienna of 1864, had chosen to remain under Denmark and, on the signing of the Treaty of Prague, had migrated across the frontier pending the plebiscite. These, seeing no prospect of a plebiscite, now returned to Schleswig where, owing to their having lost their Danish citizenship and not being allowed by the Prussians — as a punishment — to acquire Prussian citizenship, they became in their unprotected state the special object of persecution in the Prussian efforts to Germanize the country. The plight of these optants served at least to fix European attention on the failure of Prussia to live up to her obligations under the Treaty of Prague and started a discussion as to whether either Denmark or the people of Schleswig had not by the treaty acquired a legal right to claim its performance. The existence of such a right was denied categorically by Bismarck in the Constituent Assembly of 1867,[3] to which the people of

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[1] Documents, *post*, p. 937.

[2] The *Haandbog i det Nordslevigske spôrgsmaals historie*, Copenhagen, 1901, says that the Austrian government did not conceal its opinion that Prussia's conditions were unreasonable. Further information may be found in the dispatches of George H. Yeaman, United States Minister to Denmark, to Secretary Seward regarding the negotiations. *United States, Foreign Relations*, 1867, vol. 1, pp. 660 *et seq.*

[3] Fréderic Thudicum, *Verfassungsrecht des norddeutschen Bundes und des deutschen Zollvereins,* reviewed by Rolin-Jaequemyns, *Revue de droit international et de législation comparée,* 1870, vol. 2, p. 721.

North Schleswig had sent a deputy to protest against the incorporation of the territory in the Confederation and to claim their right to a popular vote.[1] Bismarck replied with the denial of the existence of any right, legal or moral, which could be claimed by the people of North Schleswig.

The dispute has raised the subsidiary question of who was the intended beneficiary, Denmark, the people of Schleswig, or Napoleon, and, if it was the people of Schleswig, whether a group of individuals not a State can acquire rights under a treaty.[2]

After the fate of Alsace and Lorraine in 1870, there was little hope of inducing Prussia to hold a plebiscite in Schleswig. Nevertheless, the abrogation of the plebiscitary clause in the Treaty of Prague was made by Prussia the condition of the Austro-Prussian alliance and, accordingly, by the Treaty of Vienna of October 11, 1878, the Emperor of Austria formally released the King of Prussia from the obligations under Article 5 ostensibly " in consideration of the difficulties presented in the carrying out of the principles there laid down."[3]

In spite of the large emigrations to Denmark and of the constant attempts to Germanize those who remained, for German rule here as in Alsace has been far from affording the protection to the racial minority which she herself demanded in 1867, the population of South Jutland is still preponderately anti-German in sentiment. The case of North Schleswig is still a live issue but there is at last a hope that the question which has agitated Europe for seventy years is about to be settled.

During the half century that Denmark has been deprived of Schleswig and Holstein, she has learned the value of the doctrine of self-determination. She no longer demands the return of the German populations of the duchies. On the contrary she has definitely refused to accept any part, even of Schleswig, whose inhabitants do not wish to join the kingdom of Denmark, and, in accordance with both the resolution of the Rigsdag of October 3, 1918, and with the desire of the people of North Schleswig, as expressed in the Apenrade resolution of the Schleswig Electoral Society, of November 17, 1918, the Danish Government has asked that a plebiscite be held to settle the future disposition of the regions in question.[4]

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[1] Paul Matter, *Bismarck et son temps,* vol. 2, p. 576.

[2] Cf. Ronald F. Roxburgh, *International Conventions and Third States,* p. 42. Roxburgh cites Holtzendorff, *Revue de droit international et de législation comparée,* vol. 10, p. 580. Oppenheim, *International Law* (2d ed.), vol. 1, p. 364. Rivier, *Principes du droit des gens* (2d ed.), vol. 2, p. 63. Bonfils, *Manuel de droit international public* (6th ed.) § 850. Pradier-Fodéré, *Traité de droit international public,* vol. 2, p. 813, § 1129. Cf., on the other side, *Rolin-Jaequemyns, op. cit.,* p. 325, and pp. 723–24, and *Fusinato,* p. 101.

[3] Documents, *post,* p. 942.

[4] The Danish Government has stated its support of a policy of self-determination in

The situation in Schleswig serves to illustrate how, in order to effect a permanent settlement satisfactory to all parties, a plebiscite is indeed essential, for the drawing of the boundary line according to statistics of race and language, a method seldom satisfactory if what is wanted is to fulfill popular

the following official communication, made public by the Ritzau Press Bureau on January 25, 1919.

The North Schleswig question is for Denmark an exclusively national question. The Danish nation hopes and longs for the return to the kingdom of Denmark of all who speak and feel Danish, but we have no interest in the question beyond that of nationality. Denmark's strength as a State would not be increased by the possession of a greater part of Schleswig than that in which the people really desire to be united with us; such possession would only create great political and administrative difficulties.

All the parties of the Rigsdag, and through them an overwhelming majority of the Danish people, have declared, in the Rigsdag resolution of October 3, in favor of a solution along purely national lines as the only one that accords with the desires, sentiments, and interests of the Danish people. This is exactly the same viewpoint as that of the Danes in North Schleswig, as expressed in the resolution passed by the North Schleswig Electoral Society at its meeting in Aabenraa, November 17.

We are therefore bringing before the Peace Conference the demand formulated by the people of North Schleswig for a solution of the problem on the basis of the self-determination of nations by means of a popular vote. This Government agrees with the Danes in North Schleswig that a plebiscite would form the surest foundation for our reunion in the future. In accordance with Article 1 of the Aabenraa resolution, this Government believes that the correct procedure will be to have "North Schleswig regarded as a unit, so that the inhabitants by voting yes or no may indicate whether or not they wish to be reunited with Denmark."

The unquestionably Danish part of Schleswig is described in Article 2 of the Aabenraa resolutions as follows: "North Schleswig is that part of the Duchy of Schleswig bounded by a line running from the southern point of Als, through Flensborg Fjord to the Kobbermölle Bay and along the Krusaa south of Fröslev, so that Padoberg will be the boundary station, then following the waterways between Slogs and Kaer *herred*, Skelbaek, Söndenaa, and Hvidaa, to the point where Hvidaa turns to the north, when the line runs straight out to the Western Sea and thence out to the northern point of Sild."

In central Schleswig, on the other hand, a fair determination can be arrived at only by voting in districts, as indicated in the Aabenraa resolution. If any hindrance should arise to prevent a plebiscite of the Danes in North Schleswig — which the Government has no reason to apprehend — then the line indicated in Article 2 of the Aabenraa resolution must be made the basis of the regulation, since there is no doubt but that the population north of this line can with safety be added to Denmark even without a vote.

The Aabenraa resolution, Article 5, declares that, as a matter of course, any districts south of the line that express a desire for it should have a right to vote separately on whether or not they wish to return to Denmark. In case anything should prevent a plebiscite of these people also — which the Government has no reason to apprehend — it would still be possible to receive back individual parishes which have an unquestionably Danish-speaking majority, in accordance with the petition signed by 876 men and women over twenty years of age in this district and sent in to this Government. There are, however, some communes from which no petition has been received.

In the case of Flensborg and its immediate vicinity conditions are very different. We can not consent to have these districts reunited with Denmark unless the inhabitants express a desire for it through a free vote, since without a doubt the majority of the people there are Germans. The petition from Flensborg is signed by 3,401 men and women over twenty years, whereas the total population of that age must be estimated as

desires, would be most inaccurate here. Even the Danish authorities agree that although statistics yield a sufficiently definite language frontier, which would leave to the south a large Danish minority in only one place, namely, Flensburg, yet, in the triangle between this line, which juts down southwest of Flensburg, and a line drawn, roughly, westward from the city, the population, though Danish in language, is only exceptionally so in sentiment.[1] Nor can credence be given to an interpretation of votes in recent elections under German rule, for in this region of sparsely populated moorland many of the people of Danish language and sympathies have bowed before the storm. There is this further objection that a division according to statistics would disregard the historic desire for unity in the smaller group, a desire which led the refugees in Copenhagen in 1848 to protest that they preferred unity under Germany rather than division. This objection has an historic claim to consideration although it is possible that the events of the past seventy years have rendered its importance merely academic.

## THE ISLANDS OF ST. THOMAS AND ST. JOHN, WEST INDIES, 1868

The first plebiscite regarding a cession of sovereignty ever held in the western hemisphere is that which was held in the islands of St. Thomas and St. John, in January, 1868, on the question of their cession by Denmark to the United States. It is a matter of some interest that both the vote and the insertion of the clause referring to it in the treaty between the two Powers,

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40,000. This Government is taking steps to have the Peace Conference guarantee the freedom of the plebiscite in accordance with the desires of the Danish North Schleswigers as expressed by the second Aabenraa resolution of December 30, 1918. Translation. From *The Nation,* April 5, 1919.

[1] This statement is taken from the article by H. V. Clausen, "La situation des langues en Nord-Slesvig après 1864," in *Manuel historique,* p. 341. See map on opposite page, which is a copy of that accompanying the article. According to the author's comment, the colored part represents all of that part of Schleswig in which Danish is spoken by the majority of the families owning land. To the south of this region there is only one place, namely Flensburg, where there is any considerable Danish speaking minority, the number there being about 4,000. The figures given on the map are of two kinds. In North Schleswig these figures are in three sets (see note 1 on map). In the middle portion of Schleswig, where the Danish language is still dominant, namely, that part contained in the triangle bounded on the east by the peninsula of Anglia and on the west by the Frisian territory, there is only one numeral under each commune (see note 2 on map). This difference in the method of evaluation is caused by the difference in the sources from which the statistics are compiled. In middle Schleswig, where the people, "although Danish in language, are only exceptionally so in sentiment," the statistics are based on German works and, in particular, on the work of Adler, *Die Volkssprach in dem Herzogthum Schleswig seit 1864.* In the north, where it was possible for the Danes themselves to take the statistics in each commune, the figures are more complete and more accurate, except for the cities of Haderslav, Apenrade, Sonderburg and Tondern, where only an approximate result could be secured.

were directly due to the presence of Article 5 in the Treaty of Prague of 1866. Owing to the fact that the treaty with Denmark was never ratified by the United States and that thus the cession was never completed, the circumstances of the affair have been largely forgotten.

During the American Civil War the Government of the United States had felt the need of a coaling station in the West Indies for which the three small Danish islands of St. Croix, St. Thomas and St. John, the last two with excellent harbors, were well suited. The islands had no great area or population, St. Thomas being 12 miles long and 3 wide, with about 13,000 inhabitants, St. Croix, the largest one, being twice as large in area and population, and St. John being about the same area as St. Thomas but with a much smaller number of inhabitants. The people of the islands were largely negroes who had been freed but not enfranchised, and, although Danish subjects, the language in common use was English. According to a Danish estimate made at the time there were in the three islands, even including the military force and the government employees, only about 200 people whose mother tongue was Danish.[1]

In pursuance of his policy of territorial expansion, and while the need of a coaling station in the Caribbean was still a matter of public concern, Secretary Seward on July 17, 1866, intimated to General Raaslof, the Danish Minister at Washington, that the United States would be willing to pay five million dollars for the three islands,[2] which were not only a source of debt rather than of revenue to Denmark but were of little use to her in any other respect. Her treasury, too, had been depleted by the recent disastrous war with Prussia and Austria. Yet, coming as it did so soon after the loss of Schleswig and Holstein, the proposal of a further reduction of her territory did not appeal to Denmark. Fear of opposition from Great Britain and, more especially, France, also deterred her from accepting the American offer. Although certain informal conversations took place regarding the matter, it was not until May 17 of the following year that the official Danish reply was delivered to Mr. Yeaman, the American Minister at Copenhagen. The answer was a counter proposition. Denmark would sell the smaller islands for ten million and St. Croix for five, if the consent of France, which was necessary for the transfer of the latter, could be obtained,[3] but for any cession whatever, not only was the sanction of the Rigsdag required by the constitution but the Danish Government would also insist on the consent of the people of the islands as well.[1]

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[1] *Faderlandet,* Copenhagen, Aug. 29, 1867; United States, *Compilation of Reports of Senate Committee on Foreign Relations* (Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess.), p. 186.

[2] Documents, *post,* p. 945. The sum fixed was that suggested by General Delafield as a most generous compensation in his report to Mr. Seward on July 9, 1866, regarding the value of the islands. U. S. Sen. Doc. No. 231, pt. 8, 56th Cong. 2d sess., p. 178.

[3] The question raised as to the cession of St. Croix grew out of the provisions of Article 5 of the convention signed at Copenhagen June 15, 1733, by which France ceded the island to the Danish West India Company. The article provided that the Danish

To this Seward sent an answer on May 27 that the United States must have all the islands and at a price not exceeding seven and one-half million and that a plebiscite would be wholly unnecessary in view of the inclusion of a two year option clause in the treaty draft which he was forwarding.[2] On the receipt of a telegram from Washington, Yeaman submitted, on May 28, to Count Frijs, the Danish Foreign Minister, the terms proposed by Mr. Seward, with the condition that the treaty must be ratified by Denmark before August 4th or the negotiations would be considered at an end.

Mr. Seward had expressly withheld his consent that the ratification of the treaty should await or depend upon a vote of the people of the islands. The exact source of this objection of Mr. Seward's to a vote in the islands is not clear. There are three explanations, first, that he feared that the influence of Great Britain, France, and Spain would be excited to cause an adverse vote; secondly, that if the islanders were allowed to vote on the question they would then demand statehood; third, that haste was imperative owing to the early adjournment of Congress.[3] Whatever the cause of his objection he adhered to it for many months, after all the other difficulties of price and time of ratification were removed. The Danish Cabinet, on their side, was equally insistent that a vote was imperative. For this they gave two reasons, as stated by Yeaman in his dispatch of June 17. The first was that the modern custom of Europe upon the subject was so uniform as to amount to a rule of public law, and that any departure from it would cause comment and discontent, and, the second, that Denmark, especially, could not afford to disregard the rule as she would thereby infinitely weaken her claim to a plebiscite in Northern Schleswig. To Yeaman's arguments that the plebiscite would offer opportunity for intrigue from without as well as tend to weaken the authority of the State over the subject, the Danish Cabinet, though doubtless sympathetic, again dwelt on the Schleswig situation, whose force as an argument Yeaman was compelled to admit.

On June 17, Yeaman had forwarded Denmark's proposal to sell the two islands of St. Thomas and St. John for seven and a half million dollars, and

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West India Company should engage and obligate itself in a formal and authentic manner, neither to sell nor to cede the island on any terms to any other nation without the approval and consent of the King of France. See John Bassett Moore, *Digest of International Law*, vol. 1, p. 603, *note a*.

[1] Documents, *post*. p. 946.

[2] Documents, *post*, p. 948. Article 3.

[3] Cf. Frederic Bancroft, *Life of William H. Seward*, vol. 2, p. 483, and Waldemar Westergaard, *The Danish West Indies*, p. 259.

to make St. Croix the subject of separate negotiations. Seward, early in July, cabled to close with the offer, but with no indication that he yielded on the matter of the vote. Finding the Danes still insistent on the vote, Yeaman cabled for instructions and received the answer "Do not agree to submit the question." Congress being about to adjourn, the immediate need for haste would appear to have passed, but there was another reason which still made Seward insistent against delay. The return of peace had gradually eliminated the importance of a coaling station in the West Indies from the public mind whose demand for expansion had been gratified by the acquisition of Alaska. For these reasons the negotiations for St. Croix were eventually abandoned.

Despite the diplomatic concern of the Danish Government not only that the vote should be held but that it should be stipulated in the treaty, Count Frijs, in order to meet Mr. Seward's objection, after the other points of difference had been disposed of, on August 17 signified his willingness to yield the demand for a conditional clause in the treaty, if, instead, there should be inserted an allusion to the intention of the Danish Government to take the vote. This Yeaman refused at first, but finally took *ad referendum,* and, on September 27, forwarded the text of the clause as drawn up by the Danish negotiators. Convinced at last by the repeated advices of his Minister that Denmark would not yield and that if there were no vote there would be no cession, Seward, early in October, yielded to the Danish insistence for a plebiscite so far as to cable the withdrawal of his objection to the vote, if the condition of the vote were not mentioned in the treaty.[1] In yielding this Seward was doubtless influenced by Yeaman's account of sentiment in the islands, the word received in Copenhagen being that the people were well disposed for union and would give it a good majority, and by the warning that, news of the negotiations having leaked out, France was already protesting and similar protests were expected from Great Britain.[2] On receipt of Seward's telegram Yeaman informed Count Frijs that a clause would be inserted simply stating the fact that the King would afford the people an opportunity of freely expressing their approbation of the cession.

The treaty draft was signed at Copenhagen on October 24. Article 1 contained the clause that the King of Denmark would not exercise any constraint over the people and would, therefore, as soon as practicable, give them an opportunity to express freely their wishes in regard to the cession. In addition to this the option clause was retained.[3]

It now remained to take the vote. On October 1, before the treaty had been signed, General Raasloff, now the Danish Prime Minister, had suggested to Mr. Yeaman that as an agreement seemed probable, the American Government should send to the islands both ships of war and agents, " properly provided with instructions and all that may be useful to assist the Danish commissioner in his work and to do whatever else circumstances may require." [1] Rear Admiral Palmer was accordingly ordered to St. Thomas with the *Susquehannah,* and the Reverend Charles Hawley of Auburn, New York, was appointed by Secretary Seward to act as confidential representative to help secure a favorable decision. His instructions were to present to the inhabitants the advantages of the change of sovereignty, and, especially, the great market that they would gain for their products as well as the further prosperity which would result from the proposed naval station. In all things, however, he was to cooperate with the Danish commissioner, deferring to his judgment.

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[1] Documents, *post,* p. 959.

[2] Documents, *post,* p. 959.

[3] Documents, *post,* p. 960.

Hawley, accompanied by two assistants, arrived at the islands on November 12. The Danish Commissioner arrived some ten days later, and at once invited the American agents to confer with the Danish officials. The Danish government was as eager for a favorable vote as was the American government. Chamberlain Carstensen, the Danish commissioner, was frankly unwilling to order an election until reasonably assured that the vote would be favorable. The agents of both governments were convinced that the mass of the inhabitants were for the cession, but that the mercantile interests of St. Thomas would be a unit against it unless they should receive some assurance from the United States that the status of St. Thomas as a free port would be preserved, at least for a certain period, and thus the trade with the other islands, which was the chief source of their income, remain unhampered. This demand of the merchants was presented to the American representatives at a formal conference convened by the Governor at the request of the Danish Commissioner. It was a demand to which the American agents could only answer that it was a matter for Congressional action, but that no doubt such action would be generous. The Danish Commissioner, however, was unwilling to chance a vote on such a vague declaration and decided to take advantage of the disorganization due to a recent great earthquake and tidal wave, and to go himself to Washington hoping to obtain some more definite promise which would insure a favorable vote. Hawley went with him on the journey. Before their departure the royal proclamation of the King of Denmark was read, acquainting the islanders with the provisions of the treaty. Dissatisfied with its contents the merchants of St. Thomas at once forwarded to the Commissioner a set of additional articles containing the stipulations as to trade and other matters which they desired.[2] The memorial and articles were duly laid before the President at Washington, and Seward replied that no further negotiation could be entered upon either with the Danish Commissioner or the local authorities. This reply was addressed to Hawley and at the same time his mission was terminated, the Danish Commissioner having informed the Secretary that the prospect for a favorable vote was good and that no further action from Mr. Hawley was necessary.

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[1] Documents, *post,* p. 957.

[2] Documents, *post,* p. 971.

On Carstensen's return to St. Thomas on January 1, he at once announced that the vote would be held on the ninth. On the fourth the citizens who had drawn up the memorial were invited to Government House to hear the result of his visit to Washington. The Commissioner confined himself to the statement that " the inhabitants of St. Thomas, by annexation to the United States, will secure rights superior even to those which they have so long enjoyed," and after warning them that if the United States should buy a naval base from some other Power in the West Indies their prosperity would be seriously impaired, he urged on them that while opposition to annexation might prejudice the future commercial position of the port, a great majority for the transfer would react favorably.

The qualifications for the franchise had been discussed by Yeaman and the Danish Cabinet as far back as July 12 of the previous year.[1] Yeaman had told Seward that he would insist that all foreigners domiciled in the island merely for business purposes should be excluded, and that all native born subjects of Denmark, white or black, should vote: — this not only because the vote of the colored people would probably make a favorable result more certain, but also because it would better comport with their future position as United States citizens. Although manhood suffrage was an innovation in the islands, such were the final provisions.[2]

The polls were opened on Thursday, January 9, at 8 o'clock, under the supervision of a committee of five, whose chairman was a judge, and in the presence of the Danish Commissioner and two other royal officials. The ballots were of two colors, thus preventing any secrecy. Indeed, the local paper gives the name and vote of the first man to drop his ballot in the urn. Either the cession was really desired or the people had taken the Commissioner's words to heart, for the result was 1,039 votes for cession and only twenty-two against it. In St. John the vote was 205 in favor and none in opposition. As Yeaman had anticipated, the colored vote, enfranchised for this occasion, was wholly in favor of the cession.[3]

The treaty was immediately ratified by the Rigsdag and signed by the King. Action was never obtained in the United States Senate, however. In the

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[1] Documents, *post,* p. 951.

[2] See Extract from St. Thomas Tidende, Documents, *post,* p. 974.

[3] Documents, *post,* p. 975.

Foreign Affairs Committee the treaty had no champion and in Sumner, the chairman of the Committee, it had a strong opponent. Nor was there any considerable public sentiment in its favor. The treaty was laid on the table until, in 1870, the Committee reported unanimously against it and it was allowed to lapse. A second treaty, drawn up in 1901, failed of ratification by the Landsthing. This treaty contained no mention of a vote, nor did the final treaty, ratified in 1917, by which the islands, now including St. Croix, were finally ceded to the United States in consideration of a payment of twenty-five million dollars. Before the ratification of this last treaty, in response to a popular demand, a plebiscite was held in Denmark on the subject of the cession,[1] but, contrary to the current impression, no official vote was held in the islands. There were several mass meetings held and informal votes taken which, though naturally inconclusive, appear to indicate an overwhelming sentiment for the cession, but the only formal expression of opinion came from the island legislatures, which had voted overwhelmingly for the cession and had sent delegates to Copenhagen to press the matter.

## THE PERIOD OF 1871—1914

### St. Bartholomew, West Indies, 1877

The island of St. Bartholomew, in the West Indies, after having been under French sovereignty for over a century and a half, had been given to Sweden in 1784 in return for the economic advantages about to accrue to France from the establishment at Gothenburg of a warehouse for French merchandise. The island, which measured twenty-five kilometers in circumference and had a population of about 2400 inhabitants, proved to be of little use and considerable burden to Sweden, who had no other possessions in the neighborhood. Accordingly, the Swedish Cabinet, in 1877, offered to cede the island back to France, to which Power, with colonial possessions already in the immediate vicinity, it would be of considerable value. On August 10, 1877, the treaty was signed by the two Governments.[2] By Article I, the cession was made conditional on the consent of the population of St. Bartholomew. The French Minister of Foreign Affairs, on presenting the reasons for the treaty to the Chamber, on November 12, attributed the initiation of this condition to the Swedish Government. It was, he said, however, a demand " too much in conformity with our sentiment and with the rules of our public law for us to make any objections." Such, indeed, may have been its parentage, and yet the thought suggests itself that the vote of 1878 in St. Bartholomew, like the vote of 1868, in the Danish Islands, probably signifies the desire of a Power, recently bereft of its territory by Prussian aggression, to point out the weakness of the victor's title by insisting upon the validity of the principle of self-determination in international law.

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[1] The new Danish constitution had doubled the electorate by enfranchising women and domestic servants, and reducing the age requirement for electors. Owing to this there arose a sentiment that the old Parliament was not competent to pass on the question.

[2] Documents, *post*, p. 977.

It had been agreed that while the terms of the protocol which was to settle the several details of the transfer were being discussed the vote should be taken. This was done under universal manhood suffrage of the Swedish citizens of the island.[1] Although they had been under Swedish sovereignty for a century, there had been practically no colonization and the people had retained their French customs and language. The result of the plebiscite, which gave three hundred and fifty votes for union and only one against, occasioned no surprise.[2] The protocol, which was not concluded until after the plebiscite, contained a generous provision allowing those wishing to retain their Swedish citizenship to do so without leaving the island, unless they should become a menace to public order.

On January 22, 1878, the resolution approving the treaty was adopted by the French Chamber of Deputies. Deputy Lacascade in seconding it referred to the original autocratic cession to Sweden with the comment, " today, thank God, public European law is greatly changed in this respect; the retrocession . . . has not been submitted to you until after a solemn and free vote, a real plebiscite of the inhabitants." Another deputy, from his place, added, " We shall vote for it the more willingly as it recognizes the right of plebiscite in its full extent," [3] and with a vote of 425 to 8, the Chamber adopted the resolution.

## THE TACNA-ARICA QUESTION, 1883—

The Tacna-Arica question dates from the War of the Pacific, which began in 1879, between Chile on the one part, and Bolivia and Peru on the other, and was terminated by the Treaty of Ancon, in 1883.

During the war Chile had occupied not only all the Bolivian littoral, but also the three southern Peruvian littoral provinces of Tarapacà, rich in nitrates

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[1] Victor M. Maurtua, *The Question of the Pacific,* translated by F. A. Pezet, p. 242, quotes extracts from correspondence between the Swedish and French Governments, showing that the latter had raised the question whether foreign residents might vote and that the Swedish Government had answered unequivocally in the negative.

[2] The table given in Documents, *post,* p. 983, *note,* gives the number of males over 15 years of age as 617.

[3] Translation from *Annales du Sénat et de la Chambre des Députés,* Session ordinaire de 1878, vol. 1, p. 151.

and guano, and the source of most of the revenue of Peru, and Tacna and Arica, which contained the important port of Arica. By the Treaty of Ancon, Peru ceded Tarapacà outright to Chile. She did not, however, cede the provinces of Tacna and Arica, but agreed that they should remain in the possession of Chile, and subject to Chilian laws and authority for ten years; at the expiration of this term a plebiscite was to decide whether or not the provinces should " remain finally under the dominion and sovereignty of Chile, or continue to form a part of Peruvian territory." The details of the plebiscite as well as of the payment of the ten million dollars which the winner was to make over to the loser, were to be established by a special protocol.[1]

As the subsequent controversy turns on the significance and interpretation of this article, it is interesting to trace its origin. Whoever had been the aggressor in the war,— and it is a point still in dispute,— it soon became evident that Chile would be the victor. In order to prevent an unnecessary prolongation of hostilities, President Hayes offered the mediation of the United States which was accepted in October, 1880, and the negotiations were held on board the *U. S. S. Lackawanna.* The mediation was unsuccessful. Chile, already in occupation of Tarapacà, Tacna, and Arica, insisted on absolute cession of the first province, and occupation of the others until peace should be signed, as security for indemnity, and Peru absolutely refused these conditions or any cession of territory whatever. When hostilities were resumed, Chile occupied Peru, arrested Calderon, the President, for alleged efforts to revive Peruvian resistance, and exiled him to Chile. President Arthur thereupon renewed the efforts of the United States to bring about an agreement. The Blaine-Trescot Mission was instructed to exert its efforts to induce Peru to concede a suitable monetary indemnity and to persuade Chile to be content with this and to relinquish her claim to any cession of territory. This effort at mediation being also unsuccessful, in June, 1883, a third attempt was made to end hostilities and the United States Ministers at Lima and at Santiago were instructed by Secretary Frelinghuysen [2] to save to Peru as much of her three provinces under occupation as was possible in the treaty of peace.[3]

Mr. Logan, United States Minister to Chile, proceeded accordingly to open negotiations with Señor Aldunate, Chilean Secretary for Foreign Affairs, and with the captive Peruvian President, Calderon. Logan submitted various formal propositions, some of his own devising, to both parties. Of these propositions, which included arbitration, limited occupation, sale, and division of the two provinces, one, which was of Chilean origin and which was put into formal shape by Logan, was in essence that adopted in the Treaty of Ancon, with the difference that the military occupation of Chile was to be for a five, and not a ten year period. This proposition, as well as the others, was refused by Calderon. Chile, finding it impossible to make an agreement with Calderon, then conceived the plan of supporting for the office of President of Peru, the Peruvian General Iglesias, who had a considerable backing in Peru from those who desired peace. Before supplying him with arms, however,[1] the Chilean Government secured an agreement from him as to Tacna and Arica, on the lines of the one submitted by Logan to Calderon and which is substantially the same as that embodied later in the Treaty of Ancon.[2]

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[1] Treaty of Ancon, Article 3, Documents, *post,* p. 992.

[2] Secretary of State under President Arthur.

[3] Mr. Frelinghuysen to Mr. Logan, June 26, 1882, Documents, *post,* p. 985.

Iglesias formed his government in August, 1883, and it having been duly recognized by Chile, the Treaty of Ancon was signed at Lima on October 20, 1883, and ratifications were exchanged on March 28, 1884. From Bolivia, Chile obtained a truce agreement giving indefinite occupation of the Bolivian littoral,[3] and thus acquired possession of a continuous coast line to the northern boundary of Arica.

The Treaty of Ancon, in stipulating a plebiscite at the end of the ten-year period, had stated that a special protocol should establish the form in which the plebiscite should take place and the conditions and periods of payment of the ten million dollars which was to be paid by the country remaining in possession of Tacna and Arica. The plebiscitary clause in the Treaty of Ancon was certainly not due to the idea that there was any appreciable desire for annexation latent in the inhabitants at that time. The provinces had never been Chilean, nor were the Chilean immigrants, though numerous, in sufficient numbers to suggest a close vote. The census of 1876, the last official census previous to the war, puts the Peruvian population at 17,013 while the Chilean residents numbered 9,664.[4] The first negotiations, after the treaty was signed, were occupied with the Peruvian offer to hypothecate the Chilean claims by means of the customs receipts of the port of Arica. Chile, on the ground that she was unwilling to surrender her expectation of possession of the provinces, refused this.[5] Thereupon a series of conferences, known as the Jiménez-Vial Solar negotiations, followed, for the drawing up of the special protocol. The question of the auspices under which the plebiscite should be held was the first to arise. Peru claimed that the treaty was so worded as to indicate that Chile's title to occupation should expire ten years from the date of ratification, that the provinces should then return to the authority of Peru as the legitimate sovereignty, and that the plebiscite should then be held under Peruvian auspices. Chile, denying the propriety of this interpretation of the treaty, insisted that, according to its terms, her occupation was to cease only after an unfavorable vote, held under her own auspices. As a compromise, Peru offered to allow the plebiscite to be held under the auspices of a neutral power. This Chile refused.[1] Peru has continued since this date to propose neutral auspices as a solution and Chile has held consistently to her first refusal.

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[1] Letter of the United States Minister to Peru, to Mr. Frelinghuysen, October 3, 1882. *United States Foreign Relations,* 1883, p. 720.

[2] Documents, *post,* p. 991.

[3] The treaty of truce with Bolivia was signed on April 4, 1884. *State Papers,* vol. 75, p. 367. The treaty of peace giving permanent possession, was signed May 18, 1895. *Ibid.,* vol. 88, p. 755.

[4] Victor Maurtua, *The Question of the Pacific,* English edition by F. A. Pezet, p. 148.

[5] For the negotiations from 1892–1900, see *Ministerio de relaciones exteriores del Peru — Circular sobre la cuestión Tacna y Arica,* also Egaña, *The Tacna and Arica Question, pp.* 82 *et seq.,* and *Maurtua,* pp. 170 *et seq.,* and Victor Andrés Belaunde, *Nuestra cuestion con Chile.*

The determination of the proper electoral qualifications was from the first another difficulty. Peru had asserted that only those Peruvians born or domiciled in the provinces should vote in the plebiscite. Chile claimed that not only should all Chilean as well as Peruvian residents be allowed to vote, but also all resident foreigners. As no agreement could be reached the Peruvian Foreign Minister proposed that the provinces be divided into zones, each country to establish the electoral qualifications for its respective zone.[2] This plan failing, he proposed arbitration on the question of electoral qualifications, as well as of the auspices under which the vote was to be taken, but without success. The Jiménez-Vial Solar protocol was finally signed, to the indefinite purport that the plebiscite should be held under those conditions of reciprocity which both governments should deem necessary in order to obtain an honest election, the payment of the indemnity to be by public bonds.[3] Whichever country should lose the plebiscite should have the right to rectify its frontier by advancing to a certain point. By the time the protocol had been signed, however, the Chilean administration had changed, and the protocol was not ratified. The Peruvian proposal made on February 23, 1894, in elaboration of the protocol and providing that the election be under a mixed commission of one Chilean, one Peruvian, and a third member appointed by a friendly Power, and that all Peruvians and Chileans over 21 or married, and actually resident in the provinces, should vote, did not meet with Chile's favor. Chile particularly objected to the proposed exclusion from voting of all armed forces and public officials, and to the requirement of a two years' residence, as practically excluding all Chileans. The ten-year period provided in the treaty had now expired. After various new proposals to divide the territory into zones, Chile at this point in the negotiations adopted the policy of insisting upon an agreement as to the method and guarantee of payment of the indemnity of ten millions as one on which decision was essential before the actual conditions of the plebiscite should be determined. There followed lengthy negotiations on the subject of guarantees, Chile professing a fear that Peru would be unable to pay the indemnity should the vote be in her favor — a fear somewhat justified by the financial condition of Peru and by the fact that Chile had already deprived Peru of her richest province, Tarapacà, by the Treaty of Ancon — and proposing that the money should be paid practically immediately on the taking of the vote. Peru argued that as Chile was already in possession of the two provinces she held sufficient guarantee. This Chile declared to be unacceptable; nor did the further Peruvian proposal of guarantee by a lien on the salt monopoly satisfy her. The question of whether or not the district of Tarata was properly included in the province of Tacna further complicated the affair. Meanwhile, a secret treaty delimiting frontiers had been negotiated between Chile and Bolivia. A storm of protest was aroused in Peru when the terms became known, and Peru learned that Chile in return for a promise of five million dollars had ceded Tacna-Arica to Bolivia in case the plebiscite should be favorable, and had promised to do all in her power, either separately or together with Bolivia, to obtain final possession. Further, she had promised outright to Bolivia a part of the disputed territory, the Cove of Vitor, whether or not the plebiscite should be favorable.[1] Although the treaty failed of ratification, its negotiation throws an interesting light on Chilean diplomacy.

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[1] *Egaña,* p. 85; *Maurtua,* p. 181.

[2] Pradier-Fodéré, article in *Revue de droit international et de législation comparée,* vol. 29, 1897, p. 660. *Maurtua,* p. 182, says that the proposal came first from Chile and that the Peruvian Congress repudiated it.

[3] Documents, *post,* p. 995.

In the negotiations from 1895 to 1898 the Chilean Minister successively proposed three solutions: the first, that Chile should buy the provinces outright; the second, that Peru should take Tacna, and Chile, Arica, without indemnity; and, lastly, that each country should advance its frontier, Peru to Chero, and Chile to Vitor, the plebiscite to be held in the intermediate area. The Peruvian government refused each offer in turn, and insisted on abiding by the treaty stipulations. In consequence of the Peruvian stand, discussion again centered on the bases of the plebiscite, and it was resolved that these should be studied in the following order: electoral qualifications; open or secret ballot; auspices; and the conditions and guarantee of the indemnity. Chile insisted that all inhabitants, irrespective of nationality, should vote and that the ballot should be secret. Peru contended that only natives born in the territory or resident there should be given the ballot and that the vote should be open. No agreement could be reached on these points and in the convention, called the "Billinghurst-Latorre Protocol," which was finally signed, the questions of electoral qualifications and the secret ballot were submitted to the arbitrament of Spain. The protocol, however, determined outright that the auspices should be a directive committee of three, one representing Peru, one Chile, and the third member representing Spain. The details of the election machinery and the condition of the payment of the indemnity were also settled.[1] This protocol, formally signed by the two plenipotentiaries, was submitted to their respective governments. It was ratified by the Peruvian Congress, in which any opposition was silenced by the argument that the Schleswig fiasco must not be repeated; and it was also ratified by the Chilean Senate, which was then apprehensive of war with Argentina, but the Chilean Chamber, after having approved it in principle, withheld its sanction on finding the differences with Argentina settled, and, in 1901, returned the protocol with a recommendation that the points there left to an arbitrator be settled directly by the two governments and that new diplomatic proceedings be undertaken for the fulfilment of the third clause of the Treaty of Ancon.[2]

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[1] Documents, *post*, p. 997.

From this time the Chilianizing of the two provinces, which had been going on for years, appears to have become an active policy. The schools, to which the Peruvian Government had continued its support, were closed, teaching of Peruvian history was forbidden, the pulpit and press were gagged, Peruvian laborers were boycotted and there was constant interference in commercial matters.[3] Finally, in 1901, diplomatic relations were broken by Peru, who recalled her minister and addressed to the foreign chancellories a note placing on Chile the burden of failure to fulfill her treaty obligations.[4] Relations were resumed shortly, but the exchange of notes of 1905 and 1908 were as futile as ever, for the question of auspices and electoral qualifications were still insoluble. Chile continued to insist that the plebiscite should be held under her own authority, with the aid of Peruvian commissioners, and that all inhabitants who had lived in the provinces for a certain time, whether citizens or not, should vote. Not only were these conditions still unsatisfactory to Peru, but a fresh grievance was presented by the new boundary treaty between Chile and Bolivia, signed on September 23, 1902, which, in defining the boundary line between the two countries, treated Tacna and Arica as an integral part of Chile, and which further provided for the construction of a railway from Arica to La Paz. Against these acts of sovereignty the Peruvian Government protested on the ground that Chile was not the sovereign but merely the occupant of the two provinces.[1] To this Chile answered that Article 3 of the Treaty of Ancon, ceded to Chile free and absolute sovereignty over the provinces, without any limitation save that of the period of duration. Peru replied by referring to the Bolivian recognition of her rights over Tacna and Arica in the boundary treaty between Peru and Bolivia, of September, 1902.[2]

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[1] Documents, post, p. 1000.

[2] *Maurtua*, p. 278.

[3] *Ibid.*, p. 250. It is said that this persecution has resulted in the emigration of some 18,000 families to Peru.

[4] Cf. the circular note to the Peruvian representatives in foreign countries, published in English in pamphlet form by the Peruvian Department of Foreign Affairs, November 3, 1900.

Aside from the exchange of views regarding the Peruvian protest, the negotiations of 1905 and 1908 were concerned with attempts by Chile to substitute a commercial agreement for the vote, and, this failing, a proposal for an increased indemnity to be paid by the winner of the plebiscite. There was also a detailed discussion of the position of the two countries on the matter of auspices and electoral qualifications.

It is at this period that we find for the first time the argument since become the fundamental one of the Chilean case; namely, that of simulated cession. This ingenious and interesting argument is to the effect that, as in all the historical cases of plebiscites the vote has gone for the annexing Power, the stipulation for a plebiscite in the Treaty of Ancon was understood by both parties to be merely a cloak for a definite cession and that therefore the plebiscite should either not be held or, if held, should be surrounded by such conditions that the vote would surely go for Chile as the annexing Power.[3] To support this argument two cases are cited, those of Savoy and Schleswig: It is scarcely surprising that Peru objects to the attempt to draw analogies from cases differing so widely from the one under discussion. The argument of the simulated cession would, to an American, appear to be thrown out by the fact that the American Minister to Chile was so intimately concerned in its incipiency and, indeed, there can be quoted contemporary statements of both Novoa and Aldunate to the purport that the proposal was genuine.[4] Chile showed further ingenuity in the argument which she advanced for allowing foreign citizens to vote in which she declared that an international plebiscite is different from an election concerned only with domestic affairs, and that therefore the customary rules should not apply. Resident foreigners not only have an interest in the questions of sovereignty, runs the Chilean reasoning, but, as neutrals, their vote would correspond to the service of a third person in arbitral procedure. For this position Chile is forced to acknowledge that she abandons all precedent and bases her claim on considerations of equity instead. As it is well known that the foreign residents would vote to continue the Chilean rule, Peru is not inclined to acknowledge the equity of the basis.

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[1] For the negotiations from 1906 to 1908, see Documents, *post,* pp. 1012 *et seq.*

[2] Descamps, E. E. and L. Renault, *Recueil international des traités du XX$^{me}$ Siècle,* p. 426; translation in *American Journal of International Law, Supplement,* vol. 3, p. 381.

[3] See Note of the Chilean Minister, March 15, 1905, Documents, *post,* p. 1014. Cf. also, *Observaciones á la nota del Excmo. Sr. Seoane, de 8 de Mayo de 1908, por el Consultor Letrado del Ministerio de Relaciones Exteriores de Chile, señor Alejandro Alvarez, Chile, Ministerio de relaciones exteriores, Comunicaciones cambiadas entre las Concillerias de Chile y el Perú y algunos antecedentes sobre la cuestión de Tacna y Arica,* 1905–1910, commonly called the *Rose Book of Chile,* 2d ed., Santiago de Chile, 1912.

[4] Cf. *Belaunde,* pp. 96–103. The statement by Novoa is quoted from a work by Sr. Larrabure, at one time vice-president of Peru. Those from Aldunate are from *Memoria de R.R. E.E. de Chile,* 1883, pp. 78–91.

The next exchange of proposals for a protocol occurred in 1909–10. In these Chile still insisted on the propriety of allowing all foreigners, as well as Chileans and Peruvians to vote,[1] demanding only the qualifications of literacy, and a residence of six months. Although conceding a mixed board, of one Chilean, one Peruvian and one representative of the foreign residents, to administer the plebiscite, she insisted that the chairman of this, as well as of all subordinate committees, should be the Chilean member. In all other matters Chile suggested that the provisions of the Billinghurst-Latorre Protocol should be followed. Peru answered by requiring that the right to vote be limited to Peruvians and Chileans of 21 years of age, who had been born in Tacna-Arica, or had resided in the territory since July 1, 1907, and who should be present and registered at the time of the vote,[2] public employees and members of the army or police alone to be excluded. As for the literacy test, although Peru has such a test in her own elections, she has always insisted that in questions of so fundamental a nature as that of change of sovereignty only universal manhood suffrage is suitable.[3] With regard to the electoral board, Peru insisted that the presidency should belong to a neutral member, appointed by a friendly Power. She further proposed arbitration on any disputed points. Chile answered the Peruvian proposals by a note of March 3, 1910, making only very minor concessions, and refusing arbitration. Twice Chile has arbitrated boundary disputes with Argentina. She has consistently refused to arbitrate that with Peru, and, no doubt with it in mind, has made a point of abstaining from accepting, at least without a reservation, any and all proposals for compulsory arbitration of any such questions, both at The Hague and at the Pan American Conferences.[1]

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[1] No statistics are available regarding the different groups in the disputed provinces as the Chilean census omits to give any figures for them as distinguished from the rest of the country. The total population is probably now between ten and thirteen thousand.

[2] Under both the Peruvian and the Chilean law the qualifications for the electorate are citizenship, literacy and attainment of the age of 21. In Chile domestic servants are disqualified. Chile requires a year's residence before naturalization. Peru requires a still shorter period.

[3] Further, since the closing of the Peruvian schools by the Chilean authorities, in 1901, the Peruvian inhabitants of the provinces have been under great disabilities in getting a schooling for their children, which should not at the same time destroy their Peruvian patriotism, a matter which, in view of the future plebiscite, was one of importance to the Peruvian inhabitants.

In protest against the treatment of the Peruvian inhabitants of Tacna and Arica, and especially the expulsion of the parish priests who, in spite of Chilean arguments directed to the Holy See, were still under the ecclesiastical jurisdiction of the Bishop of Arequipa, diplomatic relations were again broken by Peru, in March, 1910. In 1912 President Billinghurst, soon after his installation as President of Peru, opened the question once more. In accordance, it is said, with a previous agreement with the Chilean Government, a telegram was sent to the Chilean Government by Wenceslao Valera, Minister of Foreign Relations for Peru, proposing that the plebiscite be held in 1933, that the suffrage should be limited to natives of the provinces and to Peruvians and Chileans who should have enjoyed three years' residence, that a literacy qualification should be included, and that the presiding officer of the directing commission should be the Chief Justice of the Supreme Court of Chile.[2] Chile at once accepted the proposal, which is referred to as the Valera-Huneesis agreement, but although the negotiations were secret, it became known in Peru that exchanges surrendering two of the cardinal points of the Peruvian contention were under way and indignation on this score served to increase the popular discontent with the Billinghurst government and was a contributory cause of the revolution which followed. Relations between the two countries have never been resumed, nor have further exchanges of an official nature occurred. As a result of demonstrations in Iquique immediately after the armistice in the European war, even consular relations have been broken off. The situation is now further complicated by the renewed exodus of

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[1] In accepting Article 39 of the Hague Convention of 1907 for the pacific settlement of international disputes, the Chilean representative carefully excepted all questions of origin previous to the signing of the Convention. "La Délégation du Chili désire faire la déclaration suivante au nom de son Gouvernement à propos de cet article. Notre Délégation au moment de signer la Convention de 1899 pour le règlement pacifique des conflits internationaux l'a fait sous la réserve que l'adhésion de son Gouvernement en ce que concernait l'article 17 ne comprendrait pas les litiges ou questions antérieures à la célébration de la Convention.— La Délégation du Chili croit de son devoir renouveler aujourd'hui à propos de la même disposition la réserve qu'elle a déjà faite auparavant, quoiqu'il ne soit pas strictement nécessaire en vue du caractère même de la disposition."— *Déclaration, Deuxième conférence internationale de la paix, La Haye, 15 juin–18 octobre, 1907, Actes et documents,* vol. 2, p. 121.

Article 39 of the Hague Convention of 1907 for the pacific settlement of international disputes, reads as follows: "La convention d'arbitrage est conclue pour des contestations déjà nées ou pour des contestations eventuelles.— Elle peut concerner tout litige ou seulement les litiges d'une catégorie déterminée.

[2] Documents, *post,* p. 1049.

Peruvians from Tacna and Arica and by the effort of Bolivia to gain an outlet to the sea by securing the two provinces, an arrangement which certain Chilean groups regard with favor, but which is displeasing to Peru.

## The Separation of Norway from Sweden, 1905.

The union of Norway and Sweden, which was established by the Act of Union of August 6, 1815, and was maintained until 1905, was a voluntary personal union of two separate and equal kingdoms under one sovereign.[1] The voluntary nature of the union was emphasized by the preamble of the Act of Union, entered into by the parliaments of the respective kingdoms, which declared that the union had been effected not by force of arms but by a free and voluntary resolution which could not and ought not to be maintained except by a mutual recognition of the legitimate rights of the peoples, for the support of the common throne. The equality established by the act was, however, perfect in theory only. Although each kingdom had its own parliament, army, navy, and customs system, a separate commercial flag, and, to a certain extent made separate treaties,[2] the foreign relations of the two kingdoms and the diplomatic and consular services were in the hands of Sweden.

Of the several important questions regarding the mutual relations of the two kingdoms which arose in the succeeding years, the most important was that of the consular service. The demand for a separate consular service was raised in Norway in 1892. The two kingdoms, which were in many ways commercial rivals, had different commercial systems, Sweden having protection and Norway approximately free trade. In some places where consuls were maintained, Norway had no interests whatever. The injustice of this was aggravated for Norway by the fact that Norway paid 41⅔ per cent of the expenses of the service. The matter was the subject of incessant negotiation between 1892 and 1905. Several joint committees were appointed to consider a solution, but whatever agreements were reached by them were opposed by the Swedish Ministry. The Norwegians had in 1815 desired independence, and it was not surprising that talk of separation should revive. From the beginning of its formation, in 1869, the Great National Party of the Norwegian Left had held dissolution as its cardinal tenet. The Conservatives still upheld the union, but the obstinate stand of the Swedish Government was gradually alienating their support.

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[1] "Le Royaume de Norvège formera un Royaume libre, indépendant, indivisible et maliénable, réuni avec la Suède sous un même Roi." Act of Union, August 6, 1815, Article I. *British and Foreign State Papers,* vol. 5, p. 1049. The Union was based on this act and not on the Treaty of Kiel of 1814.

[2] The United States in 1893 signed separate extradition treaties with Norway and Sweden, the one with Sweden signed January 14 and with Norway, June 7.

The consular question finally reached a crisis in 1905. Both houses of the Norwegian Storting had in May passed a law providing for a separate consular service, hoping that the King would give his consent to the unanimous wish of the Norwegian people. This the King refused. The Norwegian Ministry thereupon resigned, and no one of the political leaders could be prevailed upon to form a new one. On June 7 the Storting was assembled to take action. The Prime Minister informed the Storting that all the members of the Government had resigned, that the King had refused to accept the resignations, and that as an alternative government could not be formed the royal power had ceased to function and the union was therefore dissolved. The Storting at once adopted this resolution, conferring on the Ministry the power hitherto belonging to the King, and voted an address to the King setting forth the reasons for the dissolution and asking permission to elect a prince of the House of Bernadotte as King of Norway.

Sweden had to face a grave problem in her answer to this decisive action. The Swedish nobility was strong, jealous of Swedish honor and proud of Sweden's former greatness. Sweden was twice as populous as Norway. As was naturally to be expected, a Swedish war party was at once formed. The situation was, however, most unfavorable to war, even in the eyes of the militarists. Norway, though small, was well prepared, while not only was the Swedish military organization in a transition state but there was the ever present fear of Russian aggression in case Sweden should turn her back on her eastern frontier. Aside from the influence of these negative forces in Sweden, the King of Sweden, Oscar II, was a sincere friend of peace, and the lower classes in Sweden were against resorting to arms. The laborers, socialists and the influential leaders of the international peace movement spoke with earnestness in behalf of a friendly settlement of the Norwegian question, and their influence was felt in the subsequent action of the Swedish Government.[1]

The Resolution of the Storting had at once evoked a protest from the Swedish Government against such an arbitrary dissolution and a special session of the Swedish Riksdag had been summoned to consider the matter. The desire of the Government for a peaceful settlement was set forth in the speech of the Swedish Secretary of State before the Council on June 19. Sweden, he said, would no doubt be legally justified in maintaining its position which was founded on contract, and in using force to perpetuate it; such a proceeding would, indeed, be natural in view of the precipitate action of Norway; yet such action would be inconsistent with the true interests of Sweden, for the great advantages which the union had held for the two countries could only be enjoyed provided their mutual relations were cordial, and certainly could not be retained by a union based on force, which would create such ill-feeling that it would constitute a source of weakness rather than of strength. The dissolution must be legal, however, and in order to settle the most vital questions concerned in the future relations of the two countries, the Riksdag should be asked to empower the Government to negotiate with the Storting.

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[1] Gjerset gives a detailed account of the May Day demonstrations for "Justice for Norway" and the speeches of the Swedish statesmen and leaders of the peace movement, K. Gjerset, *History of the Norwegian People,* pp. 579 *et seq.*

The Riksdag, to which this proposal was submitted on June 21, at once referred the matter to a special committee, which after a month's discussion, reported on July 25. The substance of the report and the resolution taken by the Riksdag are contained in the Address to the King of July 28. Following the report of the committee the Riksdag took the position that in a matter of such consequence as the dissolution of the union a surer expression of the will of the Norwegian people should be obtained. It granted the authorization requested, but on condition that the negotiations should be subsequent to a vote of the people of Norway, either for a new Storting to decide the matter, or by a direct plebiscite. Should such a vote result in favor of dissolution, the Riksdag would agree to it, on condition that agreements regarding the arbitration of future disputes, a neutral zone between the two countries, pasturage for the Nomadic Swedish Lapps, commerce in transit and common waterways were made in a manner satisfactory to Sweden's interests.[1] Although formal approval was not given to this decision of the Riksdag until August 8, this resolution was at once telegraphed to the Storting by command of the King.

On July 27, two days after the committee's report to the Riksdag and the day before the address referred to above, the Norwegian Department of Justice had reported to the Storting that as outside of Norway there appeared to be a doubt of the strength of the popular desire for dissolution, a doubt expressed in the committee report to the Riksdag, it was of the utmost importance that a plebiscite should be held, not so much to ascertain the wish of the people, for that was sufficiently clear, but to dissipate the doubts of outsiders.

The resolution and draft regulations for the plebiscite, proposed by the Department, were adopted by the Storting on July 28.[2] The Department's recommendation may be summarized as follows: The elections were to take place throughout the Kingdom on Sunday, August 13, at 1 P. M. The electoral qualifications fixed on the last election of the Storting were to be followed except with certain modifications,— chiefly calculated to allow those to vote who had attained their majority or completed the necessary period of domicile since the last election.[3] In view of the shortness of the time certain special provisions were made. Anyone entitled to vote at the last Storting election who had subsequently changed his domicile was allowed to vote in his former electoral district under the regulations concerning absentee voting, and leniency as to a reasonable excuse for being absent was to be practiced. The ballots were to contain merely the word " yes " or " no " and were not to be signed. These regulations were supplemented by a circular of instructions from the Department of Justice giving full directions regarding the composition and functions of election boards and the like.[1] If the voting could not be finished on August 13, it was to be continued the next day. A special circular by the Department of Ecclesiastical Affairs to the clergy instructed them to hold short services at the polling places if the polls should be so far distant from the church as to make attendance at service interfere with the participation in the refereundum.[2]

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[1] Documents, *post*, p. 1051.

[2] Documents, *post*, pp. 1053 *et seq.*

[3] The electoral qualifications in Norway in 1905 allowed all male citizens over 25 to

All parties in Norway united in support of the dissolution; Liberals, Conservatives, Moderates, the Labor Party, the women, the Swedes resident in Norway, all issued appeals to the electorate in its favor. The vote for dissolution was overwhelming. Of the 371,911 votes cast, the Department of Justice reported that 368,208 were affirmative and 184 negative. In spite of the short notice, 85.4% of those qualified had voted.[3]

The Storting, on receipt of the official result of the vote, thereupon extended a formal request to the Swedish Government to cooperate in the dissolution of the union by entering into formal negotiations for the purpose of arriving at an agreement on the questions raised by the dissolution. The request was at once agreed to and each country appointed a committee for the purpose, which met at Karlstad in Sweden, from August 31 to September 23. During their sessions great anxiety was felt throughout Europe over the outcome and each of the two Governments stationed troops at the border. The Swedish proposition called for submission to the Hague Tribunal of any dispute not involving the independence, integrity, or vital interest of the two countries, and a neutral zone within which the fortresses were to be razed. The conditions of the neutral zone and the razing of the fortresses created ill-will in Norway, where they were thought humiliating. They were ultimately accepted by Norway, however, on the concession by Sweden that two historic fortresses should be allowed to remain. On October 16, the Riksdag approved a gov-

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vote, who were not disqualified through indictment for crime or bankruptcy. Women were not given the vote until 1907.

[1] Documents, *post,* p. 1060.

[2] Documents, *post,* p. 1069.

[3] Documents, *post,* p. 1070. It is interesting to compare these figures with those of the plebiscite on the question of Prince Charles of Denmark as King, which was held a few months later. In this only 328,827 voted and, although the vote was decisive, there was a far greater negative vote. The figures are 259,563 for, and 69,264 against Braekstad, *Encyclopedia Britannica.*

ernment resolution to annul the Act of Union, to date from the day when the Karlstad agreements should have been formally signed by the two countries, and authorized the King to declare the union dissolved, and, the agreements having been signed on the 26th, on October 27, King Oscar issued a proclamation to the Norwegian people announcing his abdication as King of Norway.

# DOCUMENTS

# The Period of the French Revolution

## AVIGNON AND THE COMTAT VENAISSIN, 1791

### *Draft Decree of Charles François Bouche for "the Irrevocable Union of the Comtat Venaissin and of the City and State of Avignon to the County of Provence and by it to France."* *November* 12, 1789.[1]

L'Assemblée nationale, instruite des titres et droits que le comté de Provence a sur le comté Venaissin, sur les ville et Etat d'Avignon, et que, par le comté de Provence, les rois de France ont sur ces pays; tenant pour maxime fondamentale que les domaines de la couronne sont inaliénables, à moins que la nation n'accède ou n'approuve leur aliénation; que les peuples, provinces et villes ne peuvent être échangés, cédés ou vendus sans leur consentement; s'étant convaincue que la nation provençale n'a approuvé, dans aucun temps, l'aliénation illégale et faite *à non domino* du comté Venaissin, des ville et Etat d'Avignon, parties intégrantes de la souveraineté de Provence; voyant d'ailleurs dans les annales françaises les réclamations que plusieurs monarques ont faites pour être remis en possession de ces pays possédés par les papes, sans titre valable et légitime, a déclaré et arrêté:

The National Assembly, informed as to the titles and rights which the County of Provence enjoys over the Comtat Venaissin and over the City and State of Avignon, and which, through the County of Provence, the Kings of France enjoy over these territories; holding it as a fundamental maxim that the domain of the crown is inalienable, unless the nation assents to or approves of such alienation; that peoples, provinces and cities can not be exchanged, ceded or sold without their consent; convinced that the Provençal nation has not at any time approved of the illegal alienation of the Comtat Venaissin made *non domino,* of the City and State of Avignon, integral parts of the sovereignty of Provence; in view, moreover, of the claims which several monarchs have made in the annals of France for the possession of these countries, held by the Pope without good and legal title, has declared and determined:

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[1] *Archives Parlementaires,* 1st series, vol. 10, pp. 4 and 213.

1° Que le Roi sera prié par l'Assemblée nationale, représentée par son président et six de ses membres qui lui seront députés à cet effet, de donner des ordres à son ambassadeur à Rome, pour réclamer, sur-le-champ, le comté Venaissin, les ville et Etat d'Avignon, et en obtenir la restitution, à l'aimable, dans quinze jours, au plus tard, à compter du jour de la réception des ordres de Sa Majesté.

2° Que si Sa Sainteté se refuse à faire cette restitution sous l'offre d'indemnité, s'il y a lieu, laquelle ne pourra excéder la somme d'un million de livres, monnaie de France, Sa Majesté sera priée de prendre d'abord après l'expiration des susdits quinze jours possession à main armée du comté Venaissin, des ville et Etat d'Avignon, et d'y établir le régime politique, civil, ecclésiastique et militaire qui va être établi dans tout le reste de la France.

3° Qu'au moyen de ce, le comté Venaissin, les ville et Etat d'Avignon, avec tous leurs droits, appartenances et dépendances, seront irrévocablement et resteront à jamais réunis au comté de Provence, et par lui à la France;

4° Que cependant, et jusqu'à ce que la restitution du comté Venaissin, des ville et Etat d'Avignon, soit accordée et la réunion achevée, tous les privilèges dont les habitants desdits comté et Etat jouissent en France, toutes les pensions, tous les dons, traitements, gratifications et émoluments,

1. That the King shall be requested by the National Assembly, represented by its president and six of its members, who shall be appointed for the purpose, to instruct his ambassador at Rome to at once enter a claim for the Comtat Venaissin and the City and State of Avignon, and to obtain amicable restitution of them, within fifteen days at latest, dating from the date of reception of His Majesty's orders.

2. That if His Holiness should refuse to make this restitution in return for an indemnity, should there be occasion for it, which shall not exceed the sum of a million livres, in French money, His Majesty shall be requested, on the expiration of the aforesaid fifteen days, to take immediate forcible possession of the Comtat Venaissin and the City and State of Avignon, and to establish there the political, civil, ecclesiastical and military régime which is to be established throughout the rest of France.

3. That by this means, the Comtat Venaissin, and the City and State of Avignon, with all their rights, appurtenances and dependencies, shall be irrevocably and forever united to the County of Provence, and through it to France.

4. That meanwhile and until the restitution of the Comtat Venaissin, and of the City and State of Avignon shall be made and the union effected, all the privileges which the inhabitants of the said Comtat and State enjoy in France, all the pensions, all the donations, salaries, gratuities and emolu-

les concernant, de quelque nature qu'ils soient, toutes les places et dignités, tous les emplois, grades dont les Comtadins et les Avignonais sont revêtus dans les villes, corps, corporations et chapitres de la France, sont suspendus; les revenus des bénéfices qu'ils possèdent en France seront arrêtés;

5° L'Assemblée nationale se réserve de modifier, étendre, ou révoquer les dispositifs contenus dans l'article cidessus, s'il y a lieu, et suivant l'exigence des cas.[1]

. . . . .

ments attached thereto, of whatever nature they may be, all the positions and dignities, all the employments and ranks held by the Comtadins and Avignonais in the towns, bodies, corporations and chapters of France, are suspended, and the revenue of the benbenefices which they possess in France shall be stopped.

5. The National Assembly reserves the right to modify, extend or revoke the provisions contained in the above article, if it should be expedient, according to the exigencies of the case.

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## *Address of the Parishes of the Comtat Venaissin in Answer to the Motion of M. Bouche, November* 16, 1789[2]

MESSIEURS,

Informés de ladite motion pour le réclamer, le Comtat Venaissin, croyant édifier cette respectable assemblée, et donner un témoignage authentique envers leur auguste souverain; considérant, que le seul fondement légitime de toute acquisition et revendication de la souveraineté est le consentement libre du peuple, et que sa volonté doit être manifestée avant qu'il passe sous aucune autre domination; considérant encore qu'un peuple, cédé par un acte où il ne serait pas intervenu, se regarderait comme abandonné, et ensuite maître de disposer de lui-même, des hommes ne pouvant être trafiqués comme de simples pro-

GENTLEMEN:

Informed of the said motion purporting to annex the Comtat Venaissin to France, the parishes of the said Comtat, for the edification of this honorable assembly and as a formal testimony to their august sovereign, declare that: considering that any claim or assumption of sovereignty can be lawfully founded only on the free consent of the people and that the expression of their will must precede any change of government; considering, moreover, that a people handed over by proceedings in which it has had no part would consider itself abandoned and thenceforth master of its own fate, for men can not be

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[1] The Assembly ordered the printing of this draft decree but took no further action.

[2] As read to the National Assembly by the Abbé Maury, in the session of April 30, 1791, *Arch. parl.*, 1st series, vol. 25, p. 468.

priétés mobilières et territoriales; enfin, persuadés qu'une réclamation serait d'un exemple funeste, puisqu'au mépris des traités les plus solennels, elle n'établirait pour toute règle que celle de la force et de la violence, et exposerait la nation qui l'aurait témérairement adoptée, à se voir dépouillée, par la même voie, des meilleures portions de son empire; ils regardent la motion de M. Bouche comme attentatoire au droit des gens et contraire aux principes de l'Assemblée dont il est membre: ils déclarent, en présence de l'Etre suprême, que rien ne saurait les délier jamais du serment de fidélité à l'égard de leur légitime souverain, fidélité d'autant plus inaltérable, qu'elle repose sur des bases assurées, la modération et la générosité avec lesquelles ils sont gouvernés depuis plus de cinq siècles, et sur le maintien de leurs privilèges et immunités. Ils protestent, à la face de l'univers, contre tous traités faits à leur insu et sans leur intervention directe et notoire, et où l'on disposerait d'eux sans un consentement préalable, et sans une ratification subséquente.

Au surplus, les citoyens assemblés ne pouvant en ce moment réunir le vœu général, et ne voulant pas se contenter d'un vœu partiel dans une affaire d'une aussi grande importance, ont arrêté que la présente délibération sera imprimée et adressée à toutes les communautés de cette province, en les invitant à la faire ratifier par le Corps législatif, et à faire parvenir au plus tôt un extrait conforme de leurs délibérations.

bought and sold like mere lands and chattels; persuaded, in short, that such a claim would constitute a fatal precedent, since, in violation of the most solemn treaties, it would set up the law of might and force and expose the nation using it to spoliation of its fairest provinces by the same methods; they, the parishes of the Comtat Venaissin, regard M. Bouche's motion as contrary to the law of nations and to the principles of the Assembly of which he is a member. They declare in the presence of the Supreme Being that nothing can absolve them from their oath of loyalty to their lawful sovereign, a loyalty the more unalterable in that it is assured by the moderation and liberality with which they have been governed for more than five centuries and by the preservation of their privileges and immunities. They protest before the universe against all treaties made without their knowledge and their direct, public participation, purporting to dispose of them without their previous consent or subsequent ratification.

Moreover, the citizens here assembled, unable at this time to secure a general consensus of opinion, and not satisfied with a partial vote in a matter of such great importance, have decided that these resolutions shall be printed and sent to all the communes of this province with a request that they have the same ratified by the legislature and that they send back as soon as possible a copy of their resolution.

## *The French Nation Renounces Conquest. Decree Concerning the Right of Making Peace and War. May 22–27,* 1790 [1]

Art. 1er Le droit de la paix et de la guerre appartient à la nation.

La guerre ne pourra être décidée que par un décret du Corps Législatif, qui sera rendu sur la proposition formelle et nécessaire du Roi, et ensuite sanctionné par Sa Majesté.

2. Le soin de veiller à la sûreté extérieure du royaume, de maintenir ses droits et ses possessions, est délégué au Roi par la constitution de l'Etat; ainsi, lui seul peut entretenir des relations politiques au dehors, conduire les négociations, en choisir les agens, faire les préparatifs de guerre proportionnés à ceux des Etats voisins, distribuer les forces de terre et de mer, ainsi qu'il le jugera convenable, et en régler la direction en cas de guerre.

3. Dans le cas d'hostilités imminentes ou commencées, d'un allié à soutenir, d'un droit à conserver par la force des armes, le pouvoir exécutif sera tenu d'en donner, sans aucun délai, la notification au Corps-Législatif, d'en faire connaître les causes et les motifs; et si le Corps-Législatif est en vacance, il se rassamblera sur-le-champ.

4. Sur cette notification, si le Corps-Législatif juge que les hostilités commencées soient une agression coupable de la part des ministres ou de quelque autre agent du pouvoir exécutif l'auteur de cette agression sera

Article 1. The right of making peace and war belongs to the nation.

War may not be determined on except by a decree of the legislative body, which shall only be rendered on the formal proposition of the King, and afterwards sanctioned by His Majesty.

2. The duty of watching over the external safety of the kingdom and of maintaining its rights and its possessions is delegated to the King by the constitution of the State; thus he alone may hold political relations with foreign states, conduct negotiations, choose agents, make preparations for war in proportion to those of neighboring states, make such distribution of the forces on sea and on land as he shall consider suitable, and control their direction in case of war.

3. In case of hostilities being imminent or already begun, of an ally to uphold or a right to be maintained by force of arms, the executive must give notification to the legislative body without delay, and must acquaint it with the causes and the reasons; and if this legislative body is not in session, it shall reassemble immediately.

4. On receipt of this notification, if the legislative body is of the opinion that the hostilities already begun are a culpable aggression on the part of the ministers or of any other agent of the executive, the author of

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[1] Duvergier, *Collection Complète des Lois,* vol. 1, p. 191.

poursuivi comme criminel de lèse-nation; l'Assemblée nationale déclarant à cet effet que la nation française renonce à entreprendre aucune guerre dans la vue de faire des conquêtes, et qu'elle n'emploiera jamais ses forces contre la liberté d'aucun peuple.[1]

5. Sur la même notification, si le Corps-Législatif décide que la guerre ne doit pas être faite, le pouvoir exécutif sera tenu de prendre sur-le-champ des mesures pour faire cesser ou prévenir toutes hostilités, les ministres demeurant responsable des délais.

6. Toute déclaration de guerre sera faite en ces termes: *De la part du Roi des Français, au nom de la nation.*

. . . . .

this aggression shall be prosecuted for the crime of an affront against the nation; the National Assembly making a declaration to the effect that the French nation renounces the undertaking of any war for the purpose of conquest, and that it will never employ its forces against the liberty of any people.

5. If on the same notification, the legislative body decides that the war ought not to be waged, the executive shall be obliged to take immediate measures to stop or to prevent all hostilities, the ministers remaining responsible for any delays.

6. All declarations of war shall be made in this form: *On the part of the King of the French, in the name of the nation.*

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## *Formal Minute of the General Council of the Commune of the City of Avignon. June* 12, 1790[2]

L'an mil sept cent quatre-vingt-dix et le douzième jour du mois de juin, le conseil général de la commune étant assemblé dans la salle du conseil, après due convocation, M. Lami, officier municipal, présidant le conseil

In the year 1790 and on the 12th day of the month of June the General Council of the Commune being assembled in the council hall, after due convocation, M. Lami, municipal official, President of the Council in the ab-

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[1] Cf. Constitution of September 3–14, 1791: Duvergier, *Collection*, vol. 3, p. 254. Titre VI. *Des rapports de la nation française avec les nations étrangères. . . .* La nation française renonce à entreprendre aucune guerre dans la vue de faire des conquêtes, et n'emploiera jamais ses forces contre la liberté d'aucun peuple. (Translation), Title VI. *The Relations of the French Nation with Foreign Nations.* The French nation renounces the undertaking of any war for the purpose of conquests, and will never employ its forces against the liberty of any people.

[2] Soullier, *Histoire de la Révolution d'Avignon*, vol. 1, p. 316, note 6.

en l'absence de M. Blanc et de M. le maire, M. Peyre, autre officier municipal, a exposé que dans le temps que la municipalité et le comité des recherches s'occupent à suivre les traces des noirs complots, dont les suites désastreuses ont été fatales à nombre infini de citoyens dans la journée du 10 courant, comme il se verra par le verbal qui se dresse à mesure qu'on parvient à dècouvrir les crimes multipliés de cette malheureuse journée. Plusieurs personnes, inculpées d'être chefs ou fauteurs de ces crimes atroces, ont été arrêtées à la clameur publique, et déjà même le peuple justement indigné contre celles d'entre ces personnes qu'il croyait les plus coupables, a exigé et commandé leur supplice et s'obstine d'autant plus à faire continuer l'exécution des autres personnes arrêtées, qu'il s'imagine ne pouvoir obtenir justice dans l'état d'anarchie où la négligence, et peut-être même la connivence du gouvernement nous laisse depuis plusieurs mois. Que pour mettre ce peuple plus à portée d'obtenir cette justice par des voies régulières, la municipalité a pris le parti de convoquer une assemblée générale des citoyens par districts, dont les délibérations ont été mises sur le bureau par MM. les présidens de chacun d'iceux, et a requis être fait lecture desdites délibérations; ce qui ayant été fait par nous notaire, secrétaire-greffier de la commune soussigné, il a été reconnu qu'il a été délibéré à l'unanimité, dans chacun des districts, que la nation avignonnaise et les Comtadins sont libres, souverains

sence of M. Blanc and of the Mayor, M. Peyre, another municipal official, has stated that during the time devoted by the Municipality and the committee of investigation to the following of the clues of black conspiracies, whose disastrous effects have been fatal to countless citizens during the 10th day of this month, as is evident from the report to be drawn up after the discovery of the multitude of crimes of that unhappy day. Several persons, accused of being leaders or abettors in those atrocious crimes, have been arrested in response to the public clamor; and already the people, justly indignant against those amongst the number who are considered the most guilty, have required and commanded their punishment and are the more determined to cause the execution of the other persons arrested to be continued, because they imagine that justice can not be obtained during the state of anarchy in which the negligence and perhaps even the connivance of the government has allowed us to remain for some months past. That to put the people more in the way of obtaining this justice by regular methods, the Municipality has convoked a general assembly of citizens by districts, whose deliberations have been placed on the bureau by the president of each district. The Municipality has required that the said deliberations be read; this having been done by our notary, recording secretary of the commune, whose signature is below, it has been recognized that it has been

et indépendans; qu'en conséquences la ville d'Avignon et ses dépendances qui n'ont pu être séparées de la nation française, y seront réunies. A l'effet de quoi, M. le Maire et officiers municipaux sont requis de faire arborer sur le champ les armes de France, en faisant déplacer préalablement celles du St-Siége, avec le respect dû a sa Sainteté, comme chef visible de l'Eglise; de charger MM. Peyre et Duprat, le premier, avocat; le second, négociant, officiers municipaux déjà nommés par la précédente délibération du Conseil général de la commune, de se transporter conjointement avec M. Tissot aussi avocat, procureur de la commune, et nous greffier secrétaire d'icelle, sans retard à Paris, pour faire auprès de l'auguste assemblée nationale et du Roi des français, toutes les démarches nécessaires, à l'effet d'obtenir l'acceptation de cette réunion, et traiter tout ce qui concerne les intérêts de notre ville; sur quoi ledit sieur Tissot, procureur de la commune a requis, qu'attendu que cette délibération est unanime, elle fût mise à exécution sur le champ; et en conséquence les armes de France ayant été placées sous un dais, le Conseil général précédé d'un détachement des gardes avignonaises et des grenadiers, de la garnison de cette ville, et de la musique militaire, a accompagné le susdit dais, suivi d'un autre détachement, s'est rendu au palais, où lesdites armes ont été arborées sur la première porte d'entrée, et en même temps celles du St-Siége ont été enlevées res-

deliberated unanimously by each of the districts that the Avignonais nation and the Comtadins are free, sovereign and independent; that, in consequence, the City of Avignon and its dependencies which could not be separated from the French nation, are united to it. By reason of which the mayor and the municipal officials are required to at once display the arms of France, first displacing those of the Holy See with the respect due to His Holiness, as visible head of the Church; and to instruct MM. Peyre and Duprat, the former a lawyer, the latter a merchant, municipal officials already appointed by the preceding deliberation of the Communal Council, to repair to Paris at once and without delay in company with M. Tissot, likewise a lawyer, and communal attorney and recording secretary of this body, to take all measures before the august National Assembly of the King of the French, which may be necessary in order to obtain the acceptation of the union, and to negotiate regarding everything which concerns the interests of our City; on which the Sieur Tissot, communal attorney, has required that in view of the unanimity of this deliberation it should be at once put in execution; and in consequence the arms of France were placed under a canopy and the general council, preceded by detachments of Avignonais guards and grenadiers of the garrison of this city, and of the military band, accompanied the aforesaid canopy, and followed by another de-

pectueusement, placées sous le même dais, et accompagnées par le même cortège à la maison commune, où elles ont été déposées dans un endroit décent; et pour l'entière exécution desdites délibérations, le conseil a autorisé le bureau de régie à fournir des mandats sur le trésorier de la commune pour la dépense de la susdite députation pour la somme de quinze cents livres, et une lettre de crédit sur Paris jusqu'à concurrence de la somme de deux mille livres, sauf à régler ensuite les frais de cette députation. Délibéré de plus, que les députés partiront dans le jour, qu'extrait de la présente délibération et celles des districts leur seront délivrés pour faire constater de leur mandat, qu'il sera envoyé un courrier extraordinaire à M. le président de l'assemblée nationale, avec une adresse pour le prévenir de cette députation. L'assemblée chargeant lesdits sieurs députés de présenter à l'auguste assemblée nationale l'hommage de son respect, de son admiration et de sa soumission sans bornes à ses décrets, et l'assurance de la fidélité des Avignonais à la nation, à la loi et au roi, et attendu que nousdit secrétaire-greffier sommes obligé de nous absenter pour cette députation, avons, du consentement du Conseil général, nommé et choisi pour pro-secrétaire-greffier M. Namur, notable, qui a bien voulu accepter ladite charge, et a prêté le serment requis. De quoi et de tout ce que dessus, ledit sieur procureur de la commune a requis acte, et se sont, les-

tachment, repaired to the palace, where the said arms were displayed on the first entrance gate, and at the same time those of the Holy See were respectfully removed, placed under the same canopy and, accompanied by the same procession, were carried to the communal hall, where they were deposited in a proper place; and for the complete execution of the said deliberation the Council has authorized the administrative officer to furnish requisitions on the communal treasury for the expenses of the aforesaid deputation, to the sum of fifteen hundred livres, and a letter of credit on Paris up to the limit of the sum of two thousand livres, postponing the fixing of the expenses of this deputation. It is further deliberated that the deputies shall depart during the day, that a copy of the present deliberation and those of the district shall be given to them in order to bear witness to their mandate, that a special messenger shall be sent to the president of the National Assembly with an address to inform them beforehand of the deputation's arrival. The assembly instructs the said deputies to present to the august National Assembly the homage of its respect, its admiration and its unlimited submission to its decrees, and the assurance of the fidelity of the Avignonais to the nation, to the law and to the King, and in view of the fact that we, the undersigned recording-secretary, are obliged to be absent with this deputation, we have, with the consent of the general council, named and chosen dits sieurs assemblés, soussignés à l'original, etc.

Collationné, Signé; NAMUR, *pro-secrétaire-greffier.*

for recording secretary, M. Namur, a leading citizen, who has been good enough to accept the office aforesaid, and has taken the required oath. The said attorney for the communal attorney has required a formal act of this and of all the above, and the said gentlemen being assembled, have signed the original, etc.

Collated and signed; NAMUR, *Acting Recording Secretary.*

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## *Address of the Representative Body of the Comtat Venaissin. June 22,* 1790 [1]

### A L'ASSEMBLÉE NATIONALE

MESSIEURS,

C'est par l'organe de ses députés librement élus, et constitués depuis peu de jours en Assemblée représentative, que le comté Venaissin vient porter à l'auguste Assemblée nationale de France ce tribut unanime.

. . . . .

Oui, Messieurs, l'adoption des lois françaises, d'où va dépendre une partie de notre bonheur, ne saurait néansmoins porter la moindre atteinte au respect et à la fidélité inviolable que nous conserverons jusqu'au dernier soupir à notre bienfaisant monarque. Attachés à son gouvernement par des liens que nos cœurs rendront toujours indissolubles, rien ne saurait altérer nos sentiments pour sa personne sacrée: ils reposent sur des bases inébranlables, notre consentement libre, la modération et la générosité de nos

### TO THE NATIONAL ASSEMBLY

GENTLEMEN:

By the voice of its deputies, freely elected and constituted, a few days since, as a representative assembly, the Comtat Venaissin comes to bring to the august National Assembly of France this unanimous tribute.

. . . . .

Yes, gentlemen, the adoption of French laws, on which will depend a part of our happiness, will nevertheless be unable to do the slightest injury to the inviolable respect and fidelity towards our beneficent monarch which we shall preserve to our last breath. Attached to his government by ties which our hearts will make forever indissoluble, nothing would be capable of altering our feelings for his sacred person; they rest upon immovable bases, our free consent, the moderation and generosity of our princes,

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[1] *Arch. parl.*, 1st series, vol. 16, p. 405.

princes, et l'amour qui est le juste prix d'un si grand bienfait. Rien ne saurait nous délier du serment que nous avons si souvent répété de vouloir vivre et mourir sous son empire. Serment que nous venons de renouveler d'une manière encore plus authentique, puisqu'il est émané du vœu unanime de nos commettants, exprimé dans nos mandats; serment, enfin, que nous venons de lui offrir, comme les prémices de nos travaux, comme l'élément nécessaire de notre bonheur. Qu'il soit connu de l'univers entier, ce serment auguste!

. . . . .

Qu'il est consolant pour nous, qu'il est glorieux pour vous, Messieurs, de songer qu'en invoquant les principes éternels de la vérité et de la justice, nous ne répetons que vos propres principes, nous n'invoquons que vos propres décrets! . . .

Quelle crainte pourrait désormais inspirer une nation puissante, à la vérité, mais qui vient de déclarer solennellement qu'elle renonce à toute espèce de conquête et qu'elle n'emploiera jamais ses forces contre la liberté d'aucun peuple? Ah plutôt! quelle confiance sans réserve et sans borne ne doit-elle pas attendre, nous ne dirons pas d'un peuple qu'elle protège et qu'elle vivifie dans son sein, mais de tous les habitants de l'univers, de tous les vrais amis du bonheur et de la liberté des hommes? . . .

De Gérende, *président.*

Raphel, Martinet, *sécrétaires.*

and the love which is the just price of such a great benefit. Nothing would be capable of freeing us from the oath we have so often repeated of wishing to live and die under his rule. An oath which we have just renewed in a still more authentic manner, since it emanated from the unanimous vote of our constituents, expressed in our commissions; an oath, finally, that we have offered him, as the first fruits of our labors, as the necessary element of our good fortune. Let this august oath be known to the whole world!

. . . . .

How consolatory it is for us, how glorious for you, gentlemen, to think that in invoking the eternal principles of truth and justice, we are but repeating your own principles, we are but invoking your own decrees! . . .

What fear could a nation inspire henceforth, which, though in truth powerful, has just declared solemnly that she renounces all kinds of conquest and that she will never use her forces against the liberty of any people? Ah! rather, what confidence without reserve and without limit should she not expect, we will not say from a people she protects and nourishes in her bosom, but from all the inhabitants of the world, from all the true friends of the happiness and the liberty of men? . . .

De Gérende, *President.*

Raphel, Martinet, *Secretaries.*

## *Address of the Deputation from the City of Avignon, Delivered before the National Assembly. June* 26, 1790[1]

Députés par un peuple libre, indépendant et souverain, ce n'est pas en vain que nous venons jurer une fidélité inviolable à la nation française. . . . Placé au milieu de la France, ayant les mêmes mœurs, le même langage, nous avons voulu avoir les mêmes lois. . . . A peine avez-vous déclaré que tous les hommes sont libres, que nous avons voulu l'être. Nos municipalités se sont organisées d'après les lois établies par vos décrets, et nous étions déjà constitués lorsque des brefs incendiaires et tyranniques, lancés par le Vatican, sont venus frapper d'anathème la Constitution française[2] . . . . (L'orateur fait le tableau des dispositions préparées sourdement à Avignon pour tenter une contre-révolution en France). . . .

Des hommes armés parurent tout à coup au milieu de la ville; bientôt, pressés de toutes parts, ils abandonnèrent le champ de bataille. Le sang pur des citoyens patriotes fut confondu avec celui des assassins qu'on avait suscités contre nous. Nos alliés volèrent enfin à notre secours; et . . . ils sont parvenus . . . à nous rendre la paix. Le lendemain de ces scènes de sang et de carnage, les citoyens actifs de tous les districts de la ville d'Avignon s'assemblèrent légalement. C'est dans cette assembleé que le peuple, considérant qu'il ne pouvait

Deputed by a free, independent and sovereign people, it is not in vain that we have come here to swear inviolable fidelity to the French nation. . . . Placed in the center of France, with the same customs, the same language, we have wished to have the same laws. . . . Hardly had you declared that all men are free than we desired freedom. Our municipalities are organized according to the laws established by your decrees and they were already constituted when the incendiary and tyrannical letters launched by the Vatican arrived to hurl anathema against the French Constitution. . . . (The orator here describes the secret arrangements prepared at Avignon to bring about a counter-revolution in France.) . . .

Armed men appeared suddenly in the centre of the town; soon, hard pressed on all sides, they abandoned the field of battle. The pure blood of the citizen patriots was mingled with that of the assassins who had been stirred up against us. Our allies finally hastened to our aid; and . . . they succeeded . . . in restoring peace. The day after these scenes of blood and carnage, the active citizens of all the districts of the town of Avignon assembled in legal course. It was in this assembly that the people, considering that they could be

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[1] *Arch. parl.*, 1st series, vol. 16, p. 476–7. A letter from the municipal officials of Avignon as to the vote of the city was read to the Assembly by Camus on June 17 (*ibid.*, p. 250) and one telling of similar votes in the districts by Bouche, June 19 (*ibid.*, p. 369).

[2] Omitted in the original.

être heureux et libre que par la Constitution française, déclara qu'il se réunissait à la France, qu'il supprimait les armes du pape, qu'il y substituait celles du roi de France, et qu'il députait vers lui pour lui témoigner le respect et la fidélité que lui vouaient les Avignonnais. Vous connaissez nos droits : les délibérations de tout le peuple avignonnais. Vous connaissez nos motifs : notre roi veut être despote, et nous ne voulons plus être esclaves. La France est libre ; nous ne pouvons le devenir que par elle, et nous nous jetons dans ses bras. (*Des applaudissements réitérés interrompent l'orateur.*) Vous accepterez sans doute un peuple qui vous appartenait autrefois, un peuple enfin qui a versé son sang pour le maintien de vos décrets. Nous remettons sur le bureau les délibérations de la ville et de l'Etat d'Avignon.

happy and free only by means of the French Constitution, declared that they were united to France, that the papal arms were suppressed and those of the King of France substituted, and that a deputation should be sent to him to testify to the respect and fidelity sworn to him by the people of Avignon. You are acquainted with our rights: the deliberation of all the people of Avignon. You are acquainted with our motives; our King wishes to be a despot, and we wish to be slaves no longer. France is free; we can become so only through her, and we throw ourselves into her arms. (*Repeated applause interrupts the speaker.*) You will surely accept a people who formerly belonged to you, a people who have now poured out their blood to maintain your decrees. We place on the bureau the deliberations of the City and State of Avignon.

## *First Report of the French National Assembly on the Affair of Avignon, and Decree Adopted, August* 27, 1790 [1]

M. TRONCHET, *rapporteur.* . . .

Les citoyens ont été egorgés par leurs concitoyens. C'est au milieu de ces horreurs que la ville d'Avignon a déclaré son indépendance et a demandé sa réunion à l'Empire français. Est-ce donc parmi des violences et dans le moment où une foule de fugitifs ont abandonné leur ville malheureuse, que l'on a pu recueillir un vœu libre et suffisant? . . . Je ne pense

TRONCHET, *reporter.* . . .

The citizens had been slaughtered by their fellow citizens. It was in the midst of these horrors that the City of Avignon declared its independence and asked for union with the French Empire. Is it amid such scenes of violence and at the moment when a crowd of fugitives have abandoned their unhappy city that a free and satisfactory vote can be taken? . . .

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[1] *Arch. parl.*, 1st series, vol. 18, pp. 369–379.

pas que l'Assemblée nationale puisse ordonner la réunion de cette province à la France. . . . Avignon est une province des Etats du pape, qui ne peut se détacher du surplus des sujets de cette puissance sans l'aveu de tous les autres citoyens qui composent avec elle cette association. Cette réunion ne doit pas s'opérer que par un traité entre le pape et la France sous le consentement des Comtadins. Sans cela, ce serait une conquête interdite par les principes même de votre Constitution. . . . Voici en conséquence le projet de décret que j'ai l'honneur de vous présenter:

L'Assemblée nationale, après avoir entendu le rapport de ses commissaires, a décrété et décrète:

1°. Qu'en exécution du décret du 17 juin, son président se retirera par devers le roi, à l'effet de lui communiquer les nouvelles pièces et instructions relatives à la pétition des Avignonnais, ainsi que les pièces et instructions relatives à l'état actuel du comtat Venaissin, pour être, par Sa Majesté, proposé, et par l'Assemblée nationale décrété ce qu'il appartiendra; et que cependant le roi sera supplié de faire placer dans les environs d'Avignon et du comtat les troupes de ligne qu'il croira convenables, eu égard aux circonstances;

. . . . .

4°. L'Assemblée nationale charge son président de faire remettre inces-

I do not think that the National Assembly can order the union of this province to France. . . . Avignon is a province of the Papal States, and can not separate itself from the remainder of the subjects of that Power without the consent of all the other citizens who with it compose this association. This union ought not to be consummated except by a treaty between the Pope and France, with the consent of the people of the Comtat. Without this it would be conquest, which is forbidden by the very principles of your constitution. . . . Here, consequently, is the draft decree which I have the honor to present to you:

The National Assembly, having heard the report of its commissioners, has decreed and decrees:

1. That in execution of the decree of June 17, its president shall repair before the King in order to communicate to him the new documents and instructions relating to the petition of the people of Avignon as well as those documents and instructions relating to the present state of the Comtat Venaissin, that that which pertains to the matter may be proposed by His Majesty, and decreed by the National Assembly; and that, meanwhile, the King shall be requested to cause to be placed in the environs of Avignon and of the Comtat such troops of the line as he shall deem advisable in view of the circumstances;

. . . . .

4. The National Assembly instructs its President to send a copy of

samment une expédition du present décret, tant aux officiers municipaux d'Orange qu'aux députés de la ville d'Avignon. Elle charge en outre son président d'écrire au peuple avignonnais, pour lui témoigner la profonde douleur dont elle a été affectée à la vue des malheurs qui ont accompagné les événements arrivés à Avignon, et l'inviter à employer les moyens les plus efficaces pour effacer jusqu'au souvenir de ces malheurs, et pour rétablir entre tous les citoyens la concorde que leur intérêt mutuel leur prescrit.

. . . . .

L'Assemblée, après quelques nouvelles observations, rend le décret suivant:

"L'Assemblée nationale, après avoir entendu le rapport de ses commissaires sur l'affaire d'Avignon,

"Décrète que les citoyens d'Avignon, détenus depuis le 12 juin dans les prisons d'Orange, seront provisoirement élargis, à la charge de tenir la ville d'Orange pour prison, où ils resteront sous la sauvegarde de la nation française, et où il sera pourvu à la subsistance des ouvriers qui se trouvent parmi eux.

"Ajourne, au surplus, le reste du projet de décret qui lui a été proposé par ses commissaires."

this decree without delay to the municipal officers of Orange as well as to the deputies of the City of Avignon. It further instructs its President to write to the people of Avignon in order to testify to them the profound sorrow which it experiences in view of the misfortunes which have accompanied the events which have taken place in Avignon, and to invite them to employ the most efficacious means whereby to efface the very memory of those misfortunes, and to establish that harmony between all the citizens which their mutual interest enjoins.

. . . . .

The Assembly, after several new observations, passed the following decree:

"The National Assembly, having heard the report of its commissioners on the affair of Avignon,

"Decrees that the citizens of Avignon detained since June 12 in the prisons of Orange, shall be set free provisionally, on condition of keeping to the city of Orange as their prison, where they shall remain under the protection of the French nation, and where there shall be provision for subsistence of the workmen among them.

"The remainder of the draft decree proposed by its committee is adjourned."

### *Decree of the National Assembly, November* 20, 1790 [1]

L'Assemblée nationale, après avoir entendu son comité diplomatique,

The National Assembly, having heard its Diplomatic Committee, ad-ajourne la déliberation sur la pétition du peuple avignonais, et décrète que le roi sera prié de faire passer incessamment des troupes françaises à Avignon, pour y protéger, sous ses ordres, les établissements français, et pour y maintenir, de concert avec les officiers municipaux, la paix et la tranquillité publique;

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[1] *Arch parl.*, vol. 20, p. 580. This decree was proposed by Mirabeau, not as the official

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journs deliberation on the petition of the people of Avignon, and decrees that the King be requested to send French troops to Avignon without delay, to there protect under his orders, the French establishments, and in concert with the municipal officers to there maintain the public peace.[1]

. . . . .

### *Second Report of the Committees on Avignon Regarding the Union of Avignon and the Comtat Venaissin with France, and Discussion by the Assembly. April* 30–*May* 4, 1791[1]

M. de Menou, *au nom des comités diplomatique et d'Avignon.*

Messieurs, je viens, au nom des comités diplomatique et d'Avignon,

M. de Menou, *in the name of the Committees on Diplomacy and on Avignon.*

Gentlemen, I come, in the name of the Committees on Diplomacy and on

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proposition of the Committee on Avignon but as representing the opinion of the Committee.

Decrees had been proposed on the 16th and the 18th by Pétion and Robespierre respecttively, but not voted on. They were as follows:

Draft Decree proposed by Pétion, November 16, 1790 (*ibid.*, vol. 20, p. 481).

"L'Assemblée nationale déclare que la ville d'Avignon et son territoire font partie de l'Empire français. Elle prie de roi de négocier avec la cour de Rome sur les indemnités qui pourraient lui être dues, pour ensuite les articles ainsi negociés être fournis à son examen, admis, modifiés ou rejétés par elle. Elle le prie, en outre, d'envoyer à Avignon une quantité de troupes de ligne françaises suffisante pour prévenir les troubles et maintenir la paix."

(Translation.)

"The National Assembly declares that the City of Avignon and its territory form a part of the French Empire. It requests the King to negotiate with the Court of Rome as to whatever indemnities may be due it, and that the resulting articles of this negotiation be furnished to it for examination, to be accepted, amended or rejected by it. It further requests the King to send to Avignon sufficient numbers of French troops of the line, to prevent trouble and maintain peace."

Draft Decree proposed by Robespierre, November 18, 1790 (*ibid.*, vol. 20, p. 530).

"L'Assemblée nationale déclare que la ville d'Avignon et son territorie font partie de l'Empire français, ordonne que tous ses décrets y seront aussitôt envoyés pour y être exécutés comme dans le reste de la France."

(Translation.)

"The National Assembly declares that the city of Avignon and its territory form a part of the French Empire, and orders that all its decrees shall be sent there at once to be executed as in the rest of France."

[1] *Arch. parl.*, 1st series, vol. 25, p. 452 *et seq.*

soumettre de nouveau à votre délibération une question sur laquelle il est temps enfin de prononcer définitivement, si vous voulez prévenir la destruction de 150,000 individus livrés à toutes les horreurs d'une guerre civile alimentée par les passions les plus violentes.

L'état d'Avignon et le Comtat Venaissin seront-ils réunis à la France? Telle est la question sur laquelle vous avez à délibérer.

Cette question se subdivise en plusieurs parties.

. . . . .

*Quinzième et Dernière Question*

*Le vœu des Avignonais et des Comtadins est-il suffisamment exprimé?*

Plusieurs actes des plus authentiques, passés depuis le mois de mai de l'année dernière, jusqu'aujourd'hui, prouvent évidemment le vœu des Avignonais pour se réunir à la France.

L'un en date du 14 juin 1790 est la délibération des 9 districts d'Avignon et dépendances, votant formellement la réunion à la France. . . .

Il résulte de tout ce que je viens d'avoir l'honneur de vous dire, Messieurs, 1° que 59 communautés du Comtat ont pris, depuis le mois de juin 1790 jusqu'au mois de février 1791, des délibérations authentiques pour se réunir à la France;

2° Que depuis le 14 janvier jusqu'au 20 du même mois, toutes les

Avignon, to again submit to your consideration a question which must be finally decided if you wish to prevent the destruction of 150,000 individuals, given over to all the horrors of a civil war fostered by the most violent passions.

Shall the State of Avignon and the Comtat Venaissin be united to France? That is the question you have to consider.

The question may be divided into several parts.

. . . . .

*Fifteenth and Last Question*

*Is the vote of the people of Avignon and of the Comtat sufficiently expressed?*

Several most authentic acts occurring since the month of May of last year, up to the present day, prove clearly the desire of the people of Avignon to unite themselves to France.

One, under date of June 14, 1790, is the decision of nine districts of Avignon and its dependencies, voting formally for union with France. . . .

It follows from all that I have just had the honor to say to you, gentlemen, (1) that fifty-nine communities of the Comtat have, since the month of June, 1790, and up to the month of February, 1791, made authenticated decisions to unite themselves with France;

2. That from the 14th of January to the 20th of the same month,

communes du Comtat, excepté Valréas, ont, à l'exemple de Carpentras, arboré les armes de France, et manifesté leur vœu pour la réunion;

. . . . .

4° Qu'il n'existe aucun acte portant révocation des délibérations des 59 communes citées ci-dessus, ou émanant des 39 autres, pour manifester un vœu contraire à la réunion; d'où je conclus avec tous les départements environnants, que le vœu de la majorité des habitants du Comtat est en faveur de la réunion.

*Résumé Général*

J'ai prouvé qu'avant les années 1229, 1274 et 1348, Avignon et le Comtat Venaissin avaient toujours fait, quoique séparés entre eux, partie intégrante du Comté de Provence;

Qu'en 1229, de l'aveu même du pape Grégoire IX, le Comtat ne lui avait été cédé qu'à titre de dépot;

Qu'en 1235, ce comté avait été restitué au comte de Toulouse;

Qu'en 1274, Philippe le Hardi, auquel il n'appartenait pas, n'avait pu le céder légitimement au pape Grégoire X;

Qu'en 1125, 1308 et 1343, ces deux états avaient été grevés de substitutions, avec défense expresse d'aliéner;

Que, d'après ces substitutions et ces défenses d'aliéner, et à defaut de majorité, Jeanne n'avait pu vendre Avignon en 1348;

Que, en conséquence, la vente ou

all the communes of the Comtat, except Valréas, have, following the example of Carpentras, raised the arms of France and manifested their desire for the union;

. . . . .

4. That there exists no act expressing a revocation of the decisions of the fifty-nine communes above cited, or emanating from the thirty-nine others, to show a desire contrary to union; from which I conclude, with all the neighboring departments, that the vote of the majority of the inhabitants of the Comtat is in favor of the union.

*General Summary*

I have proved that before the years 1229, 1274, and 1348, Avignon and the Comtat Venaissin, although separate from each other, formed an integral part of the County of Provence;

That in 1229 Pope Gregory IX himself admitted that the Comtat had been ceded to him only in trust;

That, in 1235 this County was restored to the County of Toulouse;

That, in 1274 Philip the Bold, to whom it did not belong, did not have the right to cede it to Pope Gregory X;

That, in 1125, 1308 and 1343, those two states were encumbered with entails with express prohibition against alienation;

That, on account of the entails and prohibition against alienation, and because she was not of age, Joan had no power to sell Avignon in 1348;

That, consequently, the sale or abcession absolue de ces deux États était de toute nullité et ne pouvait tout au plus être considérée que comme un simple engagement;

Que, en vertu du droit d'hérédité, les rois de Naples, comtes de Provence, ont continué d'être les vrais propriétaires de ces deux états;

Qu'en vertu du testament de Charles IV, dernier comte de Provence, Louis XI, roi de France, ses successeurs et aujourd'hui la nation française sont devenus les légitimes propriétaires d'Avignon et du Comtat Venaissin, domaines inaliénables dépendant de la Provence;

Que la possession des papes n'a jamais été paisible et que tous ceux qui ont eu droit à la chose ont fait des actes soit conservatoires, soit révocatoires;

Que même quelques-uns d'entre eux ont joui de toute la plénitude de leurs droits en prenant possession de ces deux pays.

J'ai également prouvé qu'en supposant que les Avignonais et les Comtadins étaient autrefois deux peuples libres et indépendants, ils ont nécessairement conservé ce caractère de liberté et d'indépendance;

Que si, de leur pleine et entière volonté, ils se sont autrefois soumis au gouvernement du pape, ils ont le droit d'en changer aujourd'hui et, conséquemment, celui de se réunir à la nation française, s'ils y trouvent leur avantage;

Qu'il est de l'intérêt de la France, soit d'ordonner cette réunion, en vertu de son droit, soit de l'accepter en vertu

solute conveyance of those two states was null and void or could, at most, be regarded only as creating a trust;

That, by right of inheritance, the Kings of Naples, Counts of Provence, have continued to be the rightful owners of those two States;

That, by the last will and testament of Charles IV, last Count of Provence, Louis XI, King of France, his successors, and to-day the French nation, have become the lawful owners of Avignon and of the Comtat Venaissin, inalienable estates appurtenant to Provence;

That the Popes have never had peaceful possession and that all those who had any rights in the premises have executed deeds either of entail or reversion.

That some of the claimants even took possession of the two countries and enjoyed the full use of their rights.

I have likewise proved that the Avignonais and the Comtadins, assuming them to have been formerly two free and independent peoples, must have preserved their liberty and independence.

That, if formerly they freely submitted to the papal government, they have to-day the right to change their government, and, consequently, the right to join the French nation, if they consider such a change to their advantage;

That it is to the interest of France either to order this union as of its own right, or to accept it as based on the de celui des Avignonais et Comtadins;

Qu'il serait également désavantageux pour la France et pour les Comtadins et Avignonais, que cette réunion n'eût pas lieu; que cette mesure ne peut raisonnablement causer ni inquietude ni jalousie, aux peuples et princes étrangers.

J'ai également prouvé que, en ordonnant cette réunion, la France ne contrevenait à aucun de ses décrets;

Que le vœu des Comtadins et Avignonais était suffisamment exprimé.

Je conclus, en conséquence, à la réunion d'Avignon et du Comtat Venaissin à l'Empire français. (*Applaudissements à gauche.*)

Voici le projet de décret que je suis chargé de vous présenter:

" L'Assemblée nationale, après avoir entendu le rapport de ses comités diplomatique et d'Avignon décrète ce qui suit:

" 1° Le Comtat Venaissin et la ville d'Avignon, avec leurs territoires et dépendances, font parties integrantes de l'Empire français.

" 2° Le roi sera prié de nommer le plus promptement possible, 3 commissaires chargés de se rendre à Avignon et dans le Comtat Venaissin, avec pleins pouvoirs pour consommer la réunion, faire cesser toutes voies de fait et hostilités, requérir, s'il est besoin, les troupes de ligne et gardes nationales des départements environnants, afin d'y rétablir le bon ordre et la tranquillité.

" Le roi est prié de faire négocier

rights of the Avignonais and Comtadins;

That it would be equally disadvantageous for France and for the Comtadins and Avignonais if this union did not take place; that this measure can not reasonably cause either anxiety or jealousy to foreign peoples or princes.

I have likewise proved that by ordering this union France would not infringe on any of its own decrees;

That the wish of the Comtadins and Avignonais has been sufficiently expressed.

I conclude, therefore, that Avignon and the Comtat Venaissin should be united to the French Empire. (*Applause on the left.*)

Here is the draft decree which I am instructed to present to you:

" The National Assembly, its committees on Diplomacy and on Avignon having been heard, decrees as follows:

" 1. The Comtat Venaissin and the City of Avignon, with their territories and dependencies, constitute integral parts of the French Empire.

" 2. The king shall be requested to name, as promptly as possible, three commissioners who shall be instructed to go to Avignon and the Comtat Venaissin with full power to consummate the union, to stop all acts of violence and hostility, to requisition, if necessary, the troops of the line and the National Guard of the surrounding departments in order to restore quiet and good order.

" The king is requested to enter into

avec la cour de Rome sur les indemnités et remboursements qui pourront lui être légitimement dus.

“ 3° Le Président présentera dans le jour le présent décret à l'acceptation et sanction du roi.

“ L'Assemblée nationale charge ses comités de Constitution, diplomatique et d'Avignon, de lui présenter incessamment et d'après le compte qui sera rendu par les commissaires du roi, un projet de décret sur les moyens ultérieurs d'exécution pour effectuer l'incorporation de la ville d'Avignon et du Comtat Venaissin à l'Empire français.”

. . . . .

M. l'Abbé Maury. . . . Après que M. le rapporteur vous a demandé plusieurs délais pour faire son rapport, penseriez-vous qu'il y eût de l'indiscrétion à vous demander que le rapport fut ajourné? (*Murmures à gauche.*) . . . Si vous voulez accorder aux défenseurs des droits du pape le délai nécessaire, vous pouvez déclarer provisoirement que vous prenez Avignon et le Comtat Venaissin sous votre protection spéciale que vous y défendez tout acte d'hostilité. Quelle que doive être votre délibération, quand le décret de réunion devrait être prononcé dans cette séance, il n'y aurait toujours rien de plus urgent que de faire cesser les hostilités, et le décret que j'ose attendre de votre humanité aurait toujours d'heureux effet. . . .

Je demande de plus que l'Assemblée, instruite des troubles qui intéressent

negotiations with the Court of Rome regarding the indemnities and reimbursements that may be lawfully due it.

“ 3. The President shall, this same day, present the present decree to the King for acceptance and approval.

“ The National Assembly instructs its Committees on the Constitution, on Diplomacy, and on Avignon forthwith to lay before it, in accordance with a report to be made by the royal commissioners, a draft decree as to further means of effectuating the incorporation of the City of Avignon and of the Comtat Venaissin into the French Empire.”

. . . . .

M. l'Abbé Maury. . . . Since the chairman has requested several delays in order to make his report, would you think it indiscreet to ask that action thereon be adjourned? (*Murmurs on the Left.*) . . . If you wish to grant the necessary delay to the defenders of the papal rights you can declare provisionally that you take Avignon and the Comtat Venaissin under your special protection and that you prohibit all hostile acts therein. Whatever decision you may come to, and although the decree of union should be passed in this session, the most urgent thing would still be to bring about a cessation of hostilities, and the decree I dare expect of your humanity would in any case have a happy effect. . . .

I ask that the Assembly, already informed of the disturbances, which d'autant plus sa solicitude, qu'elle a appris que c'était au nom de la France qu'on tentait de faire des conquêtes, déclare qu'elle prend sous sa protection spéciale la ville d'Avignon et toutes les communes du Comtat, et qu'elle défend provisoirement toute espèce d'hostilité.

*Un membre à gauche:* Et de quel droit?

M. l'Abbé Maury. En vertu du droit sacré que lui donnent les pétitions de la ville d'Avignon et du Comtat, qui ont réclamé son intervention et sa protection.

. . . . . .

M. de Clermont-Tonnerre. . . . J'appuie . . . l'ajournement jusqu'au délai demandé par M. l'abbé Maury; et je demande en outre, que M. de la Tour-Maubourg, qui connaît mieux que nous l'état des choses, puisqu'il a fait le voyage d'Avignon en qualité de colonel du régiment de Soissonais, veuille bien nous indiquer les moyens qui lui paraissent les plus propres à rétablir le calme dans Avignon, et tout particulièrement les moyens de retirer du Comtat les déserteurs français qui font toute la force de cette armée prétendue patriotique à laquelle ils se sont joints.

M. Robespierre. Les horreurs qui ont désolé le Comtat sont un pressant motif de hâter notre délibération et non de l'entraver et de la retarder par des discussions inutiles ou des tableaux exagérés de la situation des Comtadins.

. . . . . .

L'envoi d'une force quelconque

bespeak its care all the more because, as it has learned, conquests have been attempted in the name of France, that the Assembly take the City of Avignon and all the communes of the Comtat under its special protection and prohibit provisionally all manner of hostilities.

*A member on the Left.* And by what right?

M. l'Abbé Maury. By the sacred right conferred by the petitions of the City of Avignon and of the Comtat which have invoked the intervention and protection of this body.

. . . . . .

M. de Clermont-Tonnerre. . . . I . . . support a postponement for the length of time asked for by M. the Abbé Maury; and I further ask that M. de La Tour-Maubourg, who knows the state of things better than we, since he has made the journey to Avignon in the capacity of colonel of the Soisson regiment, will please indicate to us the means that seem to him most suitable to reestablish quiet in Avignon, and more particularly the means to draw from the Comtat the French deserters who form the main force of this pretended patriotic army to which they are attached.

M. Robespierre. The horrors that have desolated the Comtat make a pressing reason to hurry our deliberation and not to hinder and retard it by useless discussions or exaggerated pictures of the situation of the people of the Comtat.

. . . . . .

To send any force whatever into the

dans le Comtat, sans la déclaration de réunion à la France, serait une violation manifeste du territoire étranger. Si nous n'avons aucun droit sur ce pays, nous ne pouvons y envoyer d'armée sans être des oppresseurs. Si nous avons des droits, il faut le déclarer et agir sans délai. D'ailleurs les mesures provisoires ne pourraient avoir que de funestes effets. Ne pourrait-on pas croire que vos troupes ne seraient venues que pour en imposer aux partis victorieux; et si le chef de ces troupes avait adopté des principes contraires à ce parti, ne pourrait-on pas soupçonner, que le chef et l'armée seraient venues pour protéger ce qu'on appelle le parti aristocratique, qui est le parti vaincu.

Je demande, en conséquence, que l'ajournement soit rejeté et que la discussion commence sur le fond du projet de décret.

. . . . .

M. Malouet.[1] Tout le système du comité, les moyens, les raisonnements, les conclusions du rapport portent cumulativement sur des principes entre lesquels il faut opter; car ils se détruisent l'un l'autre. Ces deux principes sont le droit de propriété et de souveraineté du territoire qu'on attribue par transmission et hérédité au roi des Français, et point au pape, réduit à la condition de simple engagiste. Cette partie du rapport est la plus enrichie de faits, de citations, de monuments historiques, dont la diversité se prête à tous les systèmes, à toutes les prétentions; car vous

Comtat, without a declaration of union with France, would be a manifest violation of foreign territory. If we have no rights over this country, we can not send an army there without being oppressors. If we have rights, we must declare it and act without delay. Moreover the provisional measures could only have unfortunate effects. Might they not believe that your troops had come only to overawe the victorious parties; and if the leader of these troops had adopted any principles contrary to this party, might they not suspect that the leader and the army had come to protect what is called the aristocratic party, which is the conquered party.

I ask, consequently, that the postponement be rejected and that the discussion begin on the subject of the draft decree.

. . . . .

M. Malouet. The whole scheme of the committee, the methods, the reasoning, the conclusions of the report rest cumulatively upon principles between which one must choose; for they mutually destroy one another. These two principles are the right of property and of sovereignty in the territory which is attributed by transmission and heredity to the King of the French, and not at all to the Pope, who is reduced to the condition of a mere tenant. This part of the report is the richest in facts, citations, historic records, the diversity of which lends itself to all schemes, to all pre-

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[1] *Session of May 2*, p. 496.

n'oubliez point, Messieurs, que c'est aussi sur des monuments historiques que les cours de Vienne, de Pétersbourg et de Berlin se sont partagé la Pologne.

Le second principe auxiliaire du comité et de M. le rapporteur est le droit qu'a chaque peuple de se déclarer libre, indépendant de la domination du prince auquel il a obéi jusqu'au moment où il lui plait de changer la forme de son gouvernement. Je ne m'attache qu'à ces deux divisions principales dont les 15 articles en question sont des subdivisions.

Avant de passer outre, je demande à M. le rapporteur : dans quel système raisonnez-vous ?

. . . . .

Une nation qui se ressaisit de la souveraineté de son territoire n'a pas besoin de chartes et de monuments historiques ; sa volonté et sa force, voilà la mesure de ses pouvoirs ; celle de ses droits ne peut être que la justice et l'intérêt de tous. Il n'en est pas de même d'un prince qui exerce la souveraineté ; il lui faut ou une délégation spéciale du peuple qui lui obéit, ou un titre successif reconnu par ses sujets et par les autres souverains. Voilà ses droits à une existence tranquille et leur condition essentielle est d'être incommunicable à aucun autre prince, à aucune société politique, autrement que par les mêmes principes qui les constituent.

Brûlons donc les publicistes qui pourraient défendre le pape et non le système du comité et arrivons aux

tentions; for do not forget, gentlemen, that it is also on historical records that the courts of Vienna, Petersburg and Berlin divided Poland among themselves.

The second auxiliary principle of the committee and of the reporter is the right every people possesses of declaring itself free and independent of the domination of the prince whom it has obeyed up to the moment that it pleases to change the form of its government. I will only apply myself to these two principal divisions of which the fifteen articles in question are subdivisions.

Before proceeding, I ask the reporter: on what system do you reason?

. . . . .

A nation which takes back to itself the sovereignty of its territory has no need of charters and historical records; its will and its force, those are the measure of its powers; that of its rights can only be justice and the interest of all. It is not the same with a prince who exercises sovereignty; he must have either a special delegation of it from the people who obey him, or a title of succession recognized by his subjects and by other sovereigns. These are his rights to a quiet life and their essential condition is that they are incommunicable to any other prince, to any other political society, otherwise than on the same principles which constitute them.

Therefore let us burn the publicists who would defend the Pope and not the system of the committee and let

droits de l'homme, aux droits des peuples qui forment le second moyen de M. le rapporteur.

. . . . .

Je dirai donc comme vous: tout peuple rassamblé a le droit de se déclarer libre, indépendant, et de changer son gouvernement avec cette condition préalable que la volonté de tous sera librement manifestée par des formes légales et solennelles. Est-ce là le caractère du vœu des Avignonais et Comtadins, demandant leur réunion à la France?

Au lieu de la voix majestueuse d'un peuple délibérant, je ne distingue que celle des brigands et des bourreaux, les cris des assassins, les gémissements des victimes, les plaintes des fugitifs; voilà ce que j'entends depuis la première époque de l'insurrection. Avant cette époque, vous avez pu connaître la volonté générale; elle s'est librement et unanimement manifestée. Les habitants d'Avignon et du Comtat savaient alors qu'un parti puissant en France protégerait leur réunion, que des membres de cette Assemblée la sollicitaient; mais aucune force armée, aucune faction ne les menaçait encore: ils pouvaient donc librement s'expliquer. . . . C'est dans de telles circonstances que les habitants, que les communes ont voté unanimement le renouvellement de leur serment de fidélité au pape et à son gouvernement.

. . . . .

Je dis que l'époque de cette déliberation est la seule époque de la liberté pour le Comtat, pour la ville d'Avig-

us come to the rights of man, to the rights of peoples which forms the second method of the reporter.

. . . . .

I will say then as you do: every assembled people has the right to declare itself free, independent, and to change its government, with this preliminary condition that the will of all shall be freely shown by legal and solemn forms. Is this the character of the vote of the people of Avignon and of the Comtat asking union with France?

In place of the majestic voice of a deliberating people, I distinguish only that of brigands and butchers, the cries of assassins, the groans of victims, the complaints of fugitives; that is what I hear from the first period of the insurrection. Before that period, you have been able to learn the general will; it was freely and unanimously shown. The inhabitants of Avignon and the Comtat knew then that a powerful party in France would protect their union, that members of this Assembly were asking for it; but no armed force, no faction yet menaced them; therefore they could express themselves freely. . . . It was under such circumstances that the inhabitants, the communes, voted unanimously the renewal of their oath of fidelity to the Pope and his government.

. . . . .

I say that the epoch of this decision is the only epoch of liberty for the Comtat, for the City of Avignon; at

non; dans ce temps-là, les officiers municipaux étaient nommés au scrutin, dans ce temps-là, toutes les idées nouvelles, toutes les circonstances environnantes favorisaient la plus libre émission du vœu des Comtadins et des Avignonais; dans cet état ils avaient jugé de leur intérêt, de la convenance même de renoncer à leur prince; ils avaient la certitude d'être fortement protégés; dans ce temps-là ils ne l'ont pas fait, et depuis ce temps-là ils n'ont pas eu une seule époque, un seul instant de liberté d'opinion, de sécurité dans leurs personnes, et dans leurs propriétés.

. . . . .

M. Robespierre. En nous parlant du procès-verbal qui constate le vœu des Avignonais, M. l'abbé Maury aurait dû ajouter que c'était le résultat d'une délibération des anciennes communautés du Comtat, qui, loin d'être l'expression du peuple, n'était que celle des anciens officiers municipaux maîtrisés par l'influence du pape. Là, comme en France, il y avait un parti contre le vœu du peuple; la noblesse et le clergé se sont armés, on en est venu aux mains; le parti populaire a vaincu la ligue des aristocrates. . . .

Il n'y a pas de difficulté d'abord sur ce vœu, où il est prouvé que, par les faits historiques qui vous ont été développés, le peuple avignonais formait un Etat séparé de l'Etat Venaissin. Il est donc évident qu'il a eu le droit de demander seul la réunion à la France.

that time the municipal officers were nominated by ballot, at that time all the new ideas, all the surrounding circumstances favored the freest expression of the vote of the people of the Comtat and of Avignon; in that condition they judged of their interest, even of the propriety of renouncing their prince; they had the certainty of being strongly protected; at that time they did not do it, and since that time they have not had a single period, a single instant of liberty of opinion, of security for their persons and for their property.

. . . . .

M. Robespierre. In telling us of the official report proving the vote of the people of Avignon, M. l'Abbé Maury should have added that it was the result of a decision of the old communities of the Comtat, which, far from being the expression of the people, was only that of old municipal officers dominated by the influence of the Pope. There, as in France, there was a party opposed to the wish of the people; the nobility and the clergy armed themselves, they came to blows; the popular party conquered the league of aristocrats. . . .

There is, in the first place, no difficulty regarding this vote when it is proved, by the historical facts which have been shown you, that the people of Avignon formed a separate State from the Venaissin State. It is therefore evident that they had the right to ask by themselves for union with France.

Passons au Comtat. Nous avons encore la majorité du Comtat, majorité incontestable, si on veut écouter la vérité, et ne point poursuivre le système d'embarrasser l'Assemblée nationale par des doutes que les faits ont démentis. M. le rapporteur vous a attesté qu'il était porteur des déclarations de 51 communautés du Comtat qui demandent formellement leur réunion à la France. Ces 51 communautés forment évidemment la majorité sur 95: aucun de nous ne peut douter du vœu des Comtadins. Si vous réunissez le Comtat avec Avignon, pouvez-vous désirer une majorité plus complète?

M. de La Tour-Maubourg. . . .

Puisque je suis provoqué à énoncer ici mon opinion, je dirai, d'après ce que j'ai entendu dire sur les droits positifs de la nation française et du pape, qu'il ne me reste aucun doute que nous avons plus de droit que le pape à la souveraineté d'Avignon. (*Applaudissements.*)

Il me reste à parler de la seconde question: le vœu du peuple avignonais et du peuple comtadin est-il bien constaté et suffisamment exprimé? Je m'exprimerai à cet égard avec la même franchise.

Depuis que je suis revenu d'Avignon, je n'en ai reçu que des lettres anonymes que j'ai eu soin de remettre au comité diplomatique, et auxquelles il n'a sans doute pas eu plus d'égard que de raison.

Mais, quand j'étais à Avignon, il est certain que le vœu de quelques communes du Comtat a été forcé;

Let us pass to the Comtat. We still have the majority in the Comtat, an undeniable majority, if we will listen to the truth, and not follow the method of embarrassing the National Assembly by doubts which the facts belie. The gentleman who made the report has testified that he was the bearer of the decisions of fifty-one communities of the Comtat who formally ask their union with France. These fifty-one communities evidently form the majority out of ninety-five; not one of us can doubt the vote of the people of the Comtat. If you join the Comtat to Avignon, can you want a majority more complete?

M. de La Tour-Maubourg. . . .

Since I am challenged to announce my opinion here, I will say, that after what I have heard said concerning the positive rights of the French nation and of the Pope, that I have no longer the slightest doubt that we have more right than the Pope to the sovereignty of Avignon. (*Applause.*)

It remains to speak of the second question: is the vote of the people of Avignon and of the people of the Comtat fully verified and sufficiently expressed? I will express myself in this respect with the same frankness.

Since I returned from Avignon, I have received from there only anonymous letters which I have taken care to send to the Diplomaic Committee, and for which no doubt it has had no more respect than was proper.

But when I was in Avignon, it is a fact that the vote of some communes of the Comtat was forced; I have seen j'ai vu que ceux qui voulaient la réunion arrachaient les vœux de ceux qui ne la voulaient pas, en y employant la force et les armes: on s'est servi pour cela des déserteurs des régiments de Soissonais et de quelques dragons de Penthièvre. De tels suffrages ne sont certainement ni libres ni valides.

Je ne sais si, depuis mon départ, on a pris des voies plus légales.

D'après cela, ce que je croirais qu'il y aurait à faire, ce serait d'abord d'y envoyer des troupes suffisantes pour rétablir l'ordre et ensuite de mettre le peuple à même de pouvoir manifester son vœu, quelqu'il soit, d'une façon plus libre et plus légale que la première fois. (*Murmures.*)

M. DE CLERMONT-TONNERRE. Pour prendre enfin une résolution définitive sur la proposition de réunir à la France Avignon et le Comtat Venaissin, il suffit de se réduire à 2 points.

La France a-t-elle un droit positif sur Avignon et le Comtat Venaissin?

Avignon et le Comtat Venaissin ont-ils librement et formellement émis le vœu de se réunir à la France?

Je ne m'appesantirai pas sur la première de ces 2 questions:[1] . . .

. . . Je rappelle le principe du parlement de Provence; le voici: *Sans préjudice des droits du roi de la couronne, comme étant imprescriptibles et inaliénables.* (*Applaudissements à*

those who wished the union seize the votes of those who did not wish it, by using force and arms: for that purpose they made use of the deserters from the regiments of Soissons and of some dragoons of Penthièvre. Such votes are certainly neither free nor valid.

I do not know whether, since my departure, they have used more legal means.

Considering this, what I should think ought to be done, would be first to send there sufficient troops to reestablish order and then to put the people again in the way of manifesting their wish, whatever it might be, in a manner more free and more legal than the first time. (*Murmurs.*)

M. DE CLERMONT-TONNERRE. To take finally a definite resolution upon the proposition to unite Avignon and the Comtat Venaissin with France, it is enough to reduce it to two points.

Has France a positive right over Avignon and the Comtat Venaissin?

Have Avignon and the Comtat Venaissin freely and formally cast their vote to unite themselves with France?

I shall not dwell upon the first of these two questions.[1] . . .

. . . I recall the principle of the parliament of Provence; it is this: *Without prejudice to the rights of the King and of the Crown, as being imprescriptible and inalienable.* (*Ap-*

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[1] There follows an examination of the validity of the historical claims of France to the territory.

*gauche.*) . . . Mais, Messieurs, si, au milieu des principes politiques que vous professez, il était encore permis d'invoquer celui dont je parle, vous auriez fait la plus illusoire des déclarations quand vous vous êtes interdit les conquêtes; une rentrée de domaine n'est pas une conquête, et toute aliénation de domaine étant imprescriptible, vous auriez possibilité toujours en deçà de votre déclaration, mais fort au delà de vos frontières actuelles, de revendiquer successivement les domaines qui ont incontestablement appartenu à Charlemagne, et le tout sans autre intention que celle indiquée par M. le rapporteur, de consulter pour l'époque des reprises, le plus ou moins de force, des puissances qui en seraient en possession. On sent l'absurdité de la conséquence; cependant j'ai raisonné juste; c'était donc dans le principe que se trouvait l'absurdité. C'est ce principe qui peut seul servir d'appui aux droits plus qu'équivoques que nous pourrions prétendre sur Avignon. Il faut donc renoncer à ce droit, il faut renoncer à ces arguties diplomatiques, il faut renoncer à la réunion d'Avignon, si le vœu du peuple bien librement, bien clairement exprimé, ne nous donne pas un meilleur droit. M. le rapporteur nous a succinctement rendu compte du vœu des communes comtadins; il nous a dit que sur 95 communes, nous avions le vœu de réunion de 51; la majorité est de 7, ce résultat est mot à mot celui qu'ont présenté MM. Tissot et Pallin, députés d'Avignon. Ce sont les bases

*plause on the Left.*) . . . but, gentlemen, if notwithstanding the political principles that you profess, it were still permitted to invoke the one of which I am speaking, you would have made the most illusory of declarations when you forbade yourselves conquest; reentry into a domain is not conquest, and all alienation of domain being imprescriptible, you would have had the possibility always on this side of your declaration, and far on the other side of your actual frontiers, of claiming successively the domains that incontestably belonged to Charlemagne, and all this without any other intention than that indicated by the gentleman who made the report, of considering, at the time of taking them back, the greater or less force of the powers that might be in possession. You see the absurdity of the conclusion; nevertheless, I have reasoned correctly; it was therefore in the principle that the absurdity was found. It is this principle alone that can serve as a support to the more than equivocal rights that we could assume concerning Avignon. Therefore we must renounce this right, we must renounce these diplomatic quibbles, we must renounce the union of Avignon, if the vote of the people quite freely, quite clearly expressed, does not give us a better right. The reporter has given us a succinct account of the vote of the communes of the Comtat; he has told us that out of ninety-five communes, we had the vote of union of fifty-one; the majority is seven, and this result de ce calcul que je me suis permis d'examiner, et je vais vous soumettre mes résultats.

Avant d'entrer dans les détails, je me borne à définir ce que j'appelle un véritable vœu. Ce vœu doit avoir trois caractères: Il doit être libre; il doit être clairement énoncé; il doit être légalement constaté. Ces trois clauses sont rigoureusement nécessaires. Un vœu non libre est nul; un vœu conçu en termes ambigus est inadmissible; un vœu non constaté n'est pas un vœu. C'est à cette triple épreuve que je vais soumettre ce qu'on appelle le vœu de la majorité des communes du Comtat Venaissin.

Je commencerai par les trois communes dont le vœu m'a paru être le moins attaquable.[1]

. . . . .

J'ai parcouru, Messieurs, toutes les pièces qui pouvaient vous éclairer sur le vœu des communes du Comtat Venaissin; trois m'ont paru en avoir émis un que je ne veux pas contester.

7 n'en ont évidemment émis aucun.

35 m'ont fourni des objections qui me paraissent attaquer fortement la légalité de leur vœu.

En effet, les caractères de la terreur ne peuvent pas se méconnaître. C'est le 10 janvier que Cavaillon est dévasté par les Avignonais; c'est du 10 au 30, c'est dans les 20 jours sui-

is word for word that which was presented by MM. Tissot and Pallin, deputies of Avignon. These are the bases of the calculation that I have allowed myself to examine, and I am going to submit to you my results.

Before entering into details, I will confine myself to defining what I call a true vote. This vote should have three characteristics: It must be free; it must be clearly stated; it must be legally verified. These three provisos are strictly necessary. A vote not free is void; a vote expressed in ambiguous terms is inadmissible; a vote not verified is not a vote. To this triple proof I am going to submit what is called the vote of the majority of the communes of the Comtat Venaissin.

I shall begin with the three communes whose vote appeared to me the least questionable.[1]

. . . . .

I have looked over, gentlemen, all the papers which could enlighten you concerning the vote of the communes of the Comtat Venaissin; three seem to me to have given one that I do not want to contest.

Seven have evidently given none whatever.

Thirty-five have furnished objections which seem to me to attack strongly the legality of their vote.

In fact the characteristics of terror can not be mistaken. It was the 10th of January when Cavaillon was devastated by the people of Avignon; it was from the 10th to the 30th, that is,

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[1] The detailed examination of the votes of the individual communes is omitted.

vants que les 35 délibérations sont prises; elles sont fondées sur la nécessité, le salut du peuple, et l'empire des circonstances. On y allègue l'abandon du pape, et cet abandon même n'est pas exact. Le pape a, par une lettre du 6 octobre 1790, réclamé les bons offices et la protection de la France pour rétablir la paix et l'ordre dans ce malheureux pays. Je sais qu'une demande de secours n'est pas un secours effectif; mais peut-être est-il permis de dire ici qu'un prince faible, qui met ses sujets sous la protection du roi des Français, peut croire ne les avoir pas abandonnés.

Il y a loin, Messieurs, du résultat de l'examen que je vous ai soumis à celui que vous présentait M. le rapporteur. Il vous annonçait 51 communes ayant formé un vœu formel de réunion; et, en compulsant les pièces, je n'en trouve que 44 dont il existe des délibérations quelconques. Sur ce nombre, j'en retranche 7 par des raisons qu'il est impossible d'attaquer; et sur les 37 restantes, il n'en est que 3 qui présentent l'apparence d'un consentement, les autres sont viciés de toute part; aucune n'est en même temps libre, positive et constatée. Ici le nombre des votants est omis, là c'est un simple certificat sans forme légale; dans quelques pièces, ce sont des ratures coupables qui altèrent leur sens; souvent, ce sont de simples copies envoyées par les Avignonais qui disent avoir les minutes, circonstance qui les annule toutes; car

in the twenty days following, that the thirty-five decisions were taken; they are based on necessity, the welfare of the people, and the force of circumstances. The abandonment of the Pope is alleged therein and even this abandonment is not exact. The Pope by a letter of October 6, 1790, called for the good offices and the protection of France to reestablish peace and order in that unhappy country. I know that a request for help is not an effective succor; but perhaps it is permissible to say here that a feeble prince who puts his subjects under the protection of the King of the French. may believe that he has not abandoned them.

There is a great distance, gentlemen, between the result of the examination I have submitted to you and that presented to you by the gentleman who made the report. He announced to you that fifty-one communes had made a formal vote of union; and, by forcing the records, I found only forty-four of them in which any decisions whatever exist. Out of this number I take seven for reasons which it is impossible to attack; and out of the thirty-seven remaining, there are but three of them which present the appearance of an acquiescence, the others are entirely vitiated; not one is at the same time free, positive and verified. Here the number of voters is omitted, there it is simply a certificate without legal form, in some papers there are culpable erasures that alter their sense; often they are simple copies sent by une pièce qui n'est fournie et certifiée que par la partie adverse ne fut jamais une pièce probante. . . .

Je conclus à ce que la réunion ne soit pas décrétée; mais, frappé comme tous les membres de cette Assemblée, des dangers affreux auxquels sont exposés les citoyens de cette contrée si heureuse il y a deux ans, je désire que vous y portiez la paix; je soutiens que vous le pouvez dans tous les systèmes et dans toutes les hypothèses.

En droit positif, vous êtes requis par le prince, sa réquisition est du mois d'octobre dernier; en droit naturel, vous l'êtes par les malheureux Comtadins, dont tous les prétendus vœux de réunion se réduisent à ce seul cri: *Sauvez-nous, car on nous égorge.* Je crois que les Avignonais eux-mêmes vous sauront gré de leur épargner des crimes; je ne croirai pas qu'ils prétendent vous résister, quoiqu'un honorable membre nous ait annoncé dans la séance d'avant-hier et leur résistance future, et même la désobéissance des départements qu'il croit attachés à leur cause.

. . . . .

Je crois que les commissaires qu'il faut envoyer dans le Comtat et à Avignon doivent être provisoirement revêtu de grands pouvoirs, il faut que les forces soient assez considérables pour que l'impossibilité de la résistance ramène sûrement le calme; il faut que toutes les autorités usurpa-

the people of Avignon who say that they have the minutes, a fact that annuls them all; for a paper which is furnished and certified only by the adverse party never was a probatory document. . . .

I conclude that the union should not be decreed; but being struck, like all the members of this Assembly, by the frightful dangers to which are exposed the citizens of this country so happy two years ago, I want you to introduce peace there; I maintain that you can do it on all grounds and on all hypotheses.

By positive right, you are called upon by the prince, his requisition is of the month of October last; by natural right, you are also called upon by the unhappy people of the Comtat, all of whose pretended votes of union reduce themselves to the sole cry: *Save us for we are being slaughtered.* I believe that the people of Avignon themselves will thank you to spare them crimes; I will not believe that they may try to resist you, although an honorable member announced to us at the session of day before yesterday, both their future resistance and even the disobedience of the departments that he thinks attached to their cause.

. . . . .

I think that the commissioners whom it is necessary to send into the Comtat and to Avignon must be provisionally clothed with great powers, it is necessary that the forces be rather large so that the impossibility of resistance may surely bring about tranquillity; it is necessary that all the

trices disparaissent devant les commissaires que vous enverrez; il faut que, après ces préliminaires, le vœu du peuple puisse être émis avec tranquillité, et c'est alors que vous jugerez si ce vœu peut devenir pour vous l'objet d'une délibération.

. . . . .

M. DU CHATELET.[1] . . . J'avais pensé et je pense encore que la nation a le droit et même le devoir d'employer tous les moyens qui sont en sa puissance pour mettre un terme aux horreurs qui désolent depuis trop longtemps un petit Etat environné de toutes parts de départements français; comme tout individu a le droit et même le devoir d'user de toutes ses facultés pour éteindre le feu qui embraserait la maison qui touche à la sienne. . . .

Quant au vœu du peuple avignonais, je ne l'ai jamais regardé ni comme assez généralement ni surtout comme assez librement prononcé, et il m'a paru que cette vérité vous avait été démontrée dans tous ses détails hier jusqu'à l'évidence.

Que votre humanité donc, que votre intérêt même rétablisse promptement l'ordre et le calme dans le Comtat; éteignez-y les flambeaux de la discorde; qu'il n'y ait plus dans ce malheureux pays ni cruautés, ni victimes; que les peuples du Comtat et d'Avignon se rassemblent ensuite librement, paisiblement, légalement sous votre protection tutélaire et vous obtiendrez certainement par la reconnaissance ce

usurping authorities should disappear before the commissioners whom you shall send; it is necessary that, after these preliminaries, the vote of the people be cast in tranquillity, and then you will judge whether this vote may become the subject of your deliberations.

. . . . .

M. DU CHATELET. . . . I had thought and I still think that the nation has the right and even the duty of using all the means in its power to put an end to the horrors which have so long desolated a little State surrounded on all sides by French departments; as every individual has the right and even the duty of using all his powers to put out the fire that would consume the house touching his own. . . .

As to the vote of the people of Avignon, I never regarded it as cast generally enough, or even freely enough, and it seemed to me that this fact had been demonstrated to you yesterday in all its details, even to the evidence.

Therefore let your humanity, let your interest, even, reestablish promptly order and calm in the Comtat; put out the torches of discord there; let there be no longer cruelty nor victims in that unhappy country; let the peoples of the Comtat and of Avignon then come together freely, peaceably, legally under your tutelary protection and you will certainly obtain through gratitude what it would qu'il serait indigne de vous de devoir à la crainte ou à l'abus de la puissance.

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[1] Session of May 3.

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M. Pétion de Villeneuve. . . . Je dis, Messieurs, que les délibérations qui ont été invoquées sont celles qui ne peuvent pas être admises, et que ces délibérations dont votre comité vous a parlé, renferment un vœu libre, un vœu volontaire, un vœu parfaitement exprimé, et j'éspère vous le démontrer. (*Rires à droite.*)

Je dis qu'il n'y a pas une commune dans le Comtat qui ne désire la réunion avec la France; il n'est pas une commune, Messieurs, qui n'ait arboré les armes de la France. Quelle est la difficulté qui survient aujourd'hui entre les Comtadins et les Avignonais? Croyez-vous que ce soit pour la réunion à la France? Non; les troubles viennent principalement d'une jalousie entre Avignon et Carpentras, suscitée par les ennemis du bien public précisément pour empêcher la réunion.[1]

. . . . .

L'Assemblée décrète qu'il ne sera plus entendu personne.[2] (*Applaudissements dans les tribunes.*)

Le Président. Au nom de l'Assemblée je déclare aux tribunes et aux galeries que je ferai sortir le côté qui le premier donnera le moindre signe d'applaudissement.

Il va être procédé à l'appel nominal.

. . . . .

Voici le résultat de l'appel nominal

be unworthy of you to owe to fear or to the abuse of power.

. . . . .

M. Pétion de Villeneuve. . . . I say, gentlemen, that the decisions that have been invoked are those that can not be admitted, and that the decisions of which your committee has told you, comprise a free vote, a voluntary vote, a vote properly expressed, and I hope to prove it to you. (*Laughter on the Right.*)

I say that there is not a commune in the Comtat that does not desire union with France; there is not a commune, gentlemen, that has not set up the arms of France. What is the difficulty arising today between the people of the Comtat and those of Avignon? Do you think it is on account of the union with France? No; the troubles come chiefly from a jealousy between Avignon and Carpentras, created by the enemies of the public good precisely in order to prevent the union.

. . . . .

The Assembly decrees that no more speakers shall be heard. (*Applause in the galleries.*)

The President. In the name of the Assembly I announce to the tribunes and the galleries that I will have ejected the side that first gives the slightest sign of applause.

The roll call will be proceeded with.

. . . . .

This is the result of the roll call on

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[1] The debate, frequently interrupted by disorder, occupied the remainder of the session, the leading exponents of the two extreme views being the Abbé Maury and Bouche. On May 4 the debate was resumed with the same heat.

[2] Session of May 4.

sur le premier article du projet de décret du comité portant réunion d'Avignon et du Comtat Venaissin à la France.

Le nombre des votants a été de 870;

316 ont voté *oui.*

487 ont voté *non.*

67 n'on pas donné de voix.

En conséquence, l'Assemblée nationale a rejeté le premier article du comité.[1]

the first article of the draft decree of the Committee on Union of Avignon and the Comtat Venaissin with France.

The number voting was 870;

316 voted *yes.*

487 voted *no.*

67 gave no vote.

Consequently the National Assembly has rejected the first article of the committee.

## *Draft Decree for the Union of Avignon Proposed by Menou in the Third Report of the Committees on Avignon. May* 24, 1791 [2]

M. DE MENOU, *rapporteur.* . . . Je ne parlerai pas du premier vœu formé par les Avignonais, dans le mois de juin 1790, puisqu'on m'objecte qu'il fut émis au milieu du tumulte, du désordre et du massacre de plusieurs citoyens.

Je passe aux actions subséquents. Tous renferment le vœu le plus solennel, le plus libre, le plus légal de se réunir à la France.

Le premier est un serment prêté sur

M. DE MENOU, *reporter.* . . . I shall not speak of the first wish of the Avignon people, in June, 1790, since it is objected that it was uttered in the midst of tumult, of disorder and of the massacre of several citizens.

I pass to subsequent acts. All contain the most solemn, most free and most legal wish to be united to France.

The first is an oath of allegiance to

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[1] M. PÉTION DE VILLENEUVE, speaking in the Session of May 4, said: ". . . Three opinions yesterday divided the Assembly. Some did not wish for union; others wished for union at the present time, and still others wished for union, but at a more distant time. Now, gentlemen, there were therefore two parties that desired union, but one of which wanted immediate union and the other wanted union at a more distant time, and the fact can still less be denied that those very persons who, on the question, declared either that they had no voice, or that they were for the negative, expressed themselves in the clearest and most precise manner in this tribune.

They had said: The vote of the people of Avignon and of the Comtat does not seem to us a vote expressed in a manner sufficiently free and voluntary (*Murmurs from the Right*), and that is why we do not ask immediate union; but these members who did not want present union, far from saying that they did not wish for union, on the contrary thought and said clearly that, if the vote seemed free, seemed voluntary, taken in moments of tranquillity, far from opposing the union, they would themselves ask for it."

[2] *Arch. parl.,* 1st series, vol. 26, p. 362.

la roche du Don par toutes les gardes nationales d'Avignon, et de son territoire, à la Constitution française, à la nation, à la loi et au roi; il est en date du 14 juillet, jour de la fédération générale de l'Empire français. Il fut prêté en présence de plusieurs détachements de gardes nationales des villes françaises voisines d'Avignon. Le deuxième est une lettre écrite par la municipalité d'Avignon à l'Assemblée nationale, au nom des habitants de cette ville, pour demander la réunion. Elle est du 13 août 1790.

Le troisième est un nouveau serment des gardes nationales avignonaises. . . .

Le quatrième est l'adhésion au serment précédent donné par les habitants de Morieresbourg dépendant d'Avignon, en date du 6 septembre.

Le cinquième est un vœu formé par les 9 sections ou districts composant l'assemblée générale des citoyens actifs d'Avignon pour se réunir à la France, et s'incorporer au département des Bouches-du-Rhône, en date du 6 octobre 1790.

Le sixième est un vœu formé par les 9 districts ou sections composant l'assemblée générale des citoyens actifs d'Avignon, pour se réunir à la France, et envoi de cette délibération à tous les departements du royaume, en date du 26 octobre 1790: à cet acte est jointe une lettre d'envoi à l'Assemblée nationale.

Le septième est un vœu formé par les citoyens actifs d'Avignon, pour se réunir à la France. Il a été transmis

the French constitution, nation, law and King, taken on the Roche du Don by all the National Guards of Avignon, and of its territory; it is of the date of July 14, the day of the general federation of the French Empire. It was taken in the presence of several detachments of the National Guards of the French towns, neighbors of Avignon. The second is a letter written by the Municipality of Avignon to the National Assembly in the name of the inhabitants of that town, to ask for union. It is dated August 13, 1790.

The third is a new oath of the National Guards of Avignon. . . .

The fourth is the adhesion to the preceding oath given by the inhabitants of Morieresbourg, a dependency of Avignon, dated September 6.

The fifth is a wish formed by the nine sections or districts composing the general assembly of active citizens of Avignon to be united to France, and to incorporate themselves in the Department of the Bouches-du-Rhône, dated October 6, 1790.

The sixth is a wish formed by the nine districts or sections composing the general assembly of active citizens of Avignon to be united to France, and the dispatch of this deliberation to all the departments of the kingdom, dated October 26, 1790; to this act is joined a letter of despatch to the National Assembly.

The seventh is a wish formed by the active citizens of Avignon to be united to France. It was transmitted à l'Assemblée nationale, par MM. les commissaires du roi, envoyés dans le département du Gard; à cet acte est jointe une lettre des commissaires qui constate le vœu des Avignonais; cet acte est du 15 mars 1791.

Le huitième est une lettre des électeurs de l'assemblée électorale de Vaucluse, séante à Avignon, à l'Assemblée nationale, pour demander la réunion, en date du 18 mars 1791; cette lettre est revêtue des signatures de tous les électeurs.

Le neuvième est une lettre de la municipalité d'Avignon à l'Assemblée nationale écrite au nom du peuple avignonais, et datée du 16 mai 1791; elle demande la réunion par les motifs les plus pressants, et a été lue hier matin à l'Assemblée nationale; elle est accompagnée d'une lettre au président de l'Assemblée nationale, en date du 17 mai.

Je pense, Messieurs, que les différents actes dont je viens de vous rendre compte, vous paraîtront suffisants pour constater, de la manière la plus évidente, le vœu libre, solennel et formel des Avignonais. On ne pourra pas alléguer que ce vœu ait été émis au milieu des troubles: car j'ai entièrement écarté tous les actes qui ont eu lieu dans le mois de juin, quoique plusieurs d'entre eux soient revêtus des formes les plus authentiques et les plus légales. Tous les troubles étaient cessés à Avignon à la fin de ce mois, et je n'ai fait mention des actes qu'à commencer du 14 juillet, époque à laquelle on avait admis ici à la grande

to the National Assembly by the commissioners of the King, sent into the Department of Gard; to this act is joined a letter of the commissioners who confirm the wish of the people of Avignon; this act is dated March 15, 1791.

The eighth is a letter of the electors of the Electoral Assembly of Vaucluse, sitting at Avignon, to the National Assembly, to ask for union, dated March 18, 1791; this letter is furnished with the signatures of all the electors.

The ninth is a letter of the Municipality of Avignon to the National Assembly, written in the name of the people of Avignon and dated the 16 of May, 1791; it asks the union for the most pressing reasons, and it was read yesterday morning to the National Assembly; it is accompanied by a letter to the President of the National Assembly, dated May 17.

I think, gentlemen, that the different acts of which I have just given you an account will appear to you sufficient to prove, in the most evident manner, the free, solemn and formal wish of the people of Avignon. No one can allege that this wish has been expressed in the midst of disturbances: for I have entirely set aside all the acts which took place in the month of June, although several among them may have been clothed in the most authentic and legal forms. All the disturbances had ceased at Avignon at the end of this month, and I have mentioned only the acts commencing from the 14th of July, the

fédération une députation des gardes nationales avignonaises : je dois observer aussi que la population d'Avignon, n'étant que de 24,000 âmes, ne donne qu'environ 4 à 5,000 citoyens actifs. Le vœu des Avignonais est encore constaté par une infinité d'actes qui vous ont été envoyés, des départements et districts voisins : Orange, Valence, Aix, Nions, Château-renard, Nîmes, Marseille, Arles, Courtheson, Tarascon, etc., etc., n'ont cessé d'écrire à l'Assemblée nationale pour l'engager à prononcer sur la pétition des Avignonais, et l'avertir du danger qu'il y aurait à rejeter leur vœu.

. . . . .

J'ai en conséquence, l'honneur de vous proposer le projet de décret suivant, au nom des comités diplomatique, de Constitution et d'Avignon :

" L'Assemblée nationale, après avoir entendu le rapport de ses comités de Constitution, diplomatique et d'Avignon, relativement aux droits de la France sur l'Etat d'Avignon et son territoire, ainsi qu'au vœu libre, légal et solennel des Avignonais pour se réunir à l'Empire français, décrète :

" 1°. Qu'elle admet et incorpore les Avignonais dans la nation française, dont ils feront désormais partie intégrante, leur accordant tous les droits et avantages de sa Constitution ;

epoch at which a deputation of National Guards of Avignon were admitted here to the great federation : I must also observe that the population of Avignon, being only 24,000 souls, gives only about four to five thousand active citizens. The wish of the people of Avignon is further proved by an infinity of acts which have been sent to you from the neighboring departments and districts : Orange, Valence, Aix, Nions, Château-renard, Nimes, Marseilles, Arles, Courtheson, Tarascon, etc., etc., have not ceased to write to the National Assembly to urge it to pronounce upon the petition of the people of Avignon, and to apprise it of the danger there would be in rejecting their wish.

. . . . .

I have consequently the honor of proposing to you the following draft decree, in the name of the Diplomatic Committee, and the Committees on the Constitution and on Avignon :

" The National Assembly, having heard the report of its Committee on the Constitution, its Diplomatic Committee, and its Committee on Avignon regarding the rights of France over the State of Avignon and its territory, as well as the free, legal and solemn wish of the people of Avignon to be united to the French Empire, decrees :

" 1. That it admits and incorporates the people of Avignon in the French nation, of which it shall henceforth form an integral part, granting to them all the rights and advantages of its constitution ;

“ 2°. Que le roi sera prié de donner au ministre des affaires étrangères, tous les ordres nécessaires pour négocier, avec le pape, les indemnités qui pourraient lui être dues;

“ 3°. Le roi sera également prié d'ordonner aux citoyens dudit Etat et territoire d'Avignon, de cesser tout acte d'hostilité contre les habitants du Comtat Venaissin, avec lesquels la nation française veut vivre en bonne intelligence: [1] . . .”

“ 2. That the King be requested to give to the Minister of Foreign Affairs all the orders necessary to negotiate with the Pope whatever indemnities may be due him;

“ 3. The King shall also be requested to order the citizens of the said State and territory of Avignon, to cease from all acts of hostility against the inhabitants of the Comtat Venaissin, with whom the French nation desires to live in amity. . . .”

### *Decree of the National Assembly Providing that Mediators shall be sent to Avignon. May* 25, 1791 [2]

L'Assemblée nationale décrète que le président se retirera par devers le roi, pour le prier:

1°. D'envoyer des médiateurs qui interposent les bons offices de la France entre les Avignonais et les Comtadins et fassent tous leurs efforts pour les amener à la cessation de toute hostilité, comme un provisoire nécessaire avant de prendre aucun parti ultérieur relativement aux droits de la France sur ces pays;

2° D'employer les forces qui sont en son pouvoir, pour empêcher que les troupes qui se font la guerre dans le Comtat Venaissin, ne fassent aucune irruption sur le territoire de France;

3° De réclamer tous les Français qui ont pris parti dans l'une ou l'autre

The National Assembly decrees that the President shall repair before the King to request him:

1. To send mediators who shall interpose the good offices of France between the people of Avignon and those of the Comtat and shall exert all their efforts to induce them to stop hostilities as a provision necessary before taking any further decision regarding the rights of France over the country;

2. To employ all the forces in their power to prevent the troops making war in the Comtat Venaissin from any irruption into French territory;

3. To recall all the Frenchmen who have taken a part in either the one or

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[1] The first two articles were voted on separately and lost by 394 votes against 374; *Arch. parl.,* 1st series, vol. 26, p. 382.

[2] *Arch. parl.,* 1st series, vol. 26, p. 461.

des deux armées, et de faire à cet effet une proclamation qui fixe un délai et assure une armistie [*sic*] aux militaires français qui rentreront dans le délai prescrit, et qui déclare déserteurs à l'étranger ceux qui ne rentreraient pas;

4° De faire poursuivre et punir comme embaucheur tout homme qui ferait en France des recrues, soit pour un parti, soit pour l'autre.

the other of the two armies, and to make a declaration to this effect which shall fix a term and assure an amnesty to the French soldiers who shall return within the period prescribed, and which shall declare as deserters to a foreign Power those who do not return;

4. To pursue and punish as a recruiting officer any man who in France recruits for either the one party or the other.

## *Preliminaries of Peace and of Conciliation Agreed on and Signed by the Deputies of the Electoral Assembly of the Municipalities of Avignon and of Carpentras, and of the Army of Vaucluse, called the Army of Avignon, in the Presence of the Mediating Commissioners of France, Deputed by the King. June* 14, 1791 [1]

Cejourd'hui, 14 juin 1791, MM. les députés de l'assemblée électorale des municipalités d'Avignon et de Carpentras et de l'armée de Vaucluse, étant réunis en présence de MM. les médiateurs de la France, sont convenus de ce qui suit et en ont pris l'engagement formel pour ce qui concerne leur commettants respectifs, envers MM. les médiateurs de la France:

Art. 1$^{er}$. Chaque députation s'engage à suspendre dès à présent toutes hostilités, à licencier toutes les troupes armées pour la guerre, à rétablir et protéger la liberté et la sûreté des campagnes et la récolte des moissons.

Art. 2. Il est convenu entre les deux parties contractantes que l'as-

To-day, June 14, 1791, the deputies of the Electoral Assembly of the Municipalities of Avignon and ~~of~~ Carpentras and of the Army of Vaucluse having met in the presence of the Mediators of France, have agreed on the following, and have made a formal engagement with the Mediators of France as to that which concerns their respective constituents.

Article 1. Each deputation undertakes to suspend all hostilities from this time on, to disband all forces armed for purposes of war, to establish and to protect the liberty and the safety of the countryside and the gathering of the harvests.

Art. 2. It is agreed between the contracting parties that the Electoral semblée électorale se réunira dans un lieu qui ne soit soupçonné d'aucune influence de parti, le plus propre à la liberté des suffrages, et qui sera choisi par MM. les médiateurs.

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[1] *Arch. parl.*, 1st series, vol. 27, p. 708.

ART. 3. Pour hâter le succès des intentions bienfaisantes de l'Assemblée nationale de France, les députés de l'assemblée électorale arrêtent qu'elle ne s'occupera que des objets relatifs à la médiation pendant toute sa durée.

ART. 4. Il a été arrêté par toutes les parties que, pendant tout le temps que l'assemblée électorale s'occupera de la décision de l'état politique du pays, tous les corps administratifs seront circonscrits dans les droits qui sont de leur essence et qu'ils ne s'attribueront aucun de ceux qui appartiennent aux corps administratifs de la nation.

ART. 5. Pour assurer l'exécution des présents préliminaires, pour rendre à ceux qui auraient pu être intimidés par la force, leur liberté entière et absolue, enfin pour prévenir le désordre de ceux qui, après le licenciement des armées, pourraient se répandre dans les campagnes et y exercer des vexations, MM. les députés de l'assemblée électorale, des municipalités d'Avignon et de Carpentras et de l'armée de Vaucluse demandent unanimement à MM. les médiateurs de la France:

1°. De se porter pour garants envers et contre chacun des contractants, comme aussi contre toute asso-

Assembly shall meet in a place which shall not be suspected of any party influence, and shall be the one most compatible with a free vote, and which shall be chosen by the mediators.

ART. 3. In order to hasten the success of the beneficent intentions of the National Assembly of France, the deputies of the Electoral Assembly decree that the Assembly shall occupy itself throughout its duration solely with subjects relative to the mediation.

ART. 4. It has been resolved by all parties that, during the whole time that the Electoral Assembly shall occupy itself with the decision of the political state of the country, all the administrative bodies shall be limited to the rights which are of their essence and that they shall assume none of those which pertain to the administrative body of the nation.

ART. 5. In order to assure the execution of the present Preliminaries, to restore to those who may have been intimidated by force, their entire and absolute liberty, and, finally, to prevent disorders by those who, after the disbanding of the armies, might spread themselves throughout the countryside and there cause trouble, the deputies of the Electoral Assembly, of the Municipalities of Avignon and of Carpentras, and of the Army of Vaucluse unanimously request the Mediators of France:

1. To hold themselves as guarantors towards and against each of the contracting parties, as also against

ciation et attroupements faits dans les deux Etats pour s'opposer à l'ordre public et à l'exécution des engagements ci-dessus mentionnés;

2° De placer, dans les 2 villages d'Avignon et de Carpentras et dans tout autre lieu où besoin serait, des troupes françaises pour prévenir tous les maux prévus dans le présent article, bien entendu que les armées ne seront licenciées qu'après que l'on aura pris lesdites sûretés pour rétablir l'ordre.

Art. 6. Il a été convenu, entre toutes les parties, que les présents préliminaires seraient envoyés à toutes les communes de l'Etat d'Avignon et Comtat Venaissin, à l'effet par elles d'envoyer chacune un député muni de pouvoirs suffisants pour contracter et souscrire ce présent engagement.

Art. 7. Il a été arrêté enfin que tous les prisonniers respectivement faits seront rendus sans rançon et à l'instant du licenciement des armées.

Les présents préliminaires ont été arrêtés et signés, pour être exécutés aussitôt après la ratification respective des commettants de chacune des deputations, en présence de MM. les médiateurs de France, députés par le roi, lesquels ont signé avec les contractants, comme témoins et garants des présentes.

Fait à Orange, les jour, mois et an que dessus.

(Suivent les signatures.)[1]

all associations and mobs organized in the two States to oppose public order and the execution of the engagements above mentioned.

2. To place French troops in the two cities of Avignon and Carpentras, and in all other places where there may be need, in order to prevent the ills anticipated in the present article, it being understood that the armies shall not be disbanded until after the aforesaid measures to restore order shall have been taken.

Art. 6. It has been agreed between all the parties that the present Preliminaries shall be sent to all the communes of the States of Avignon and of the Comtat Venaissin, in order that each shall send a deputy provided with sufficient power to contract and subscribe to the present engagement.

Art. 7. It has been agreed, lastly, that all the prisoners taken by each party respectively, shall be set free without ransom and at the time of the disbanding of the armies.

The present Preliminaries have been agreed on and signed, to be executed immediately on their ratification by the constituents of each of the deputations, in presence of the Mediators of France, deputed by the King, who have signed with the contracting parties, as witnesses and guarantors of these presents.

Done at Orange, on the day, month, and year as above.

(The signatures follow.)

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[1] These Preliminaries were presented to the Assembly on July 4. A decree was at once adopted approving the conduct of the Commissioners sent as pacificators to Avignon, and authorizing them to take any measures they might think proper to assure the execution of the Preliminaries of Peace.—*Arch. parl.*, vol. 27, 1st series, p. 709.

### *Letter of the Mediators to the President of the National Assembly at Bédarides* [1]

La paix, arretée dans les préliminaires de paix, Monsieur, a eu son effet. L'armée de Vaucluse a été licenciée, et déjà Avignon et plusieurs grandes communes du Comtat se sont empressées d'émettre un vœu sur leur sort politique. Une paix durable ne peut s'établir, la prospérité publique ne peut renaître que par la réunion des opinions et des vœux sur cet objet important. Veuillez donc, Monsieur, adresser à toutes les communes la lettre ci-jointe; leur annoncer que, conformément aux préliminaires de paix, l'Assemblée électorale va se réunir à Bédarides, lieu que nous avons indiqué, et qu'il est instant qu'elles s'empressent d'y envoyer leurs députés, afin de dépouiller les procès-verbaux d'émission des vœux et de constater la majorité.

The peace agreed upon in the Preliminaries of Peace, Sir, has had results. The Army of Vaucluse has been disbanded, and already Avignon and several of the large communes of the Comtat have made haste to express a wish as to their political future. A durable peace can not be established, public prosperity can not be restored, save by unanimity of opinion and desire as to this important subject. Be so good then, Sir, as to send the enclosed letter to all the communes, to announce to them that, in conformity with the Preliminaries of Peace, the Electoral Assembly will shortly meet at Bédarides, the place indicated by us, and that it is of immediate importance that they should make haste to send their deputies there, in order to abstract from the minutes the statements of the wishes expressed and to ascertain the majority.

### *Letter to the Communes, Sent by the President of the Assembly at the Request of the Mediators* [2]

Je vous envoie, Messieurs, une copie certifiée de la lettre qui m'a été adressée par MM. les Médiateurs de la France. L'Assemblée électorale, qui va se réunir à Bédarides, verra avec satisfaction tout ce que vos con-

I am sending you, Sir, a certified copy of the letter which has been sent to me by the Mediators of France. The Electoral Assembly, which is about to meet at Bédarides, will look with approval on all that your fellow citoyens feront pour concourir au succès de leurs vues bienfaisantes. Je vous salue cordialement.— DUPRAT, *président;* VATON, *secrétaire;* RUCHON, *secrétaire.*

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[1] Charpenne, *Les Grands Episodes de la Révolution dans Avignon et le Comtat,* vol. 1, p. 239. No date or signature is given.

[2] Charpenne, *Les Grands Episodes de la Révolution,* vol. 1, p. 240. No date is given.

Nous vous prévenons, Messieurs, que, conformément aux préliminaires de paix ratifiés par la majorité des communes et garantis par la France, en vertu du décret de l'Assemblée nationale du 4 juillet, présent mois, il est instant que vous envoyiez des députés à l'Assemblée électorale qui s'assemblera jeudi 21 juillet, présent mois, au lieu de Bédarides que nous avons désigné. Elle sera le point central où le procès-verbal d'émission des vœux sur l'état politique du pays sera dressé, à l'effet de constater sous nos yeux la majorité des suffrages.

citizens may do to promote the success of their benevolent intentions. I greet you cordially,— DUPRAT, *President;* VATON, *Secretary;* RUCHON, *Secretary.*

We hereby inform you, Sir, that in conformity with the Preliminaries of Peace, ratified by a majority of the communes and guaranteed by France, by virtue of the decree of the National Assembly of July 4 of the present month, it is of immediate importance that you send deputies to the Electoral Assembly, which will assemble on Thursday, July 21 of the present month, at the place of Bédarides, designated by us. This will be the central point where the official statement of the wishes expressed as to the political state of the country shall be drawn up, for the purpose of ascertaining in our presence, the majority of the votes.

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### *Formal Minute of the Communal Assembly of Séguret. August* 11, 1791 [1]

La municipalité ayant convoqué la veille par cris publics tous les citoyens actifs, ils s'assemblèrent au nombre de cent trois, le 11 août 1791. Après que le Procureur de la commune leur eut fait part du discours à lui tenu par l'un des Médiateurs, relativement à l'émission de leur vœu, tous les assemblés prirent à l'unanimité la délibération suivante: 1° de voter des remerciements à la généreuse nation des Français, qui, instruite et

The Municipality having the day before, by public crier, convoked the active citizens, they assembled to the number of three hundred, on August 11, 1791. After the Procurer of the Commune had reported to them the discourse made to him by one of the Mediators, regarding the emission of their vote, all those assembled unanimously adopted the following deliberations: 1. to vote their thanks to the generous French nation, which, in-

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[1] Charpenne, *Les Grands Episodes de la Révolution,* vol. 3, p. 224.

touchée de l'anarchie et des horreurs qui désolent notre province, a daigné, dans l'immensité de ses travaux, s'occuper de nous, compâtir à nos malheurs et nous envoyer des Médiateurs, qui fidèles à la mission la plus auguste, ont mis en usage tous les moyens pour ramener parmi nous la paix et la sûreté; 2° de renouveler le serment de fidelité au Saint-Siège, dans la personne de Pie VI, souverain Pontife, qui, nous rappelant par la sagesse de son gouvernement et la tendresse de son cœur paternel tous les bienfaits dont ses prédécesseurs ont toujours comblé cette province, nous a toujours traités en enfants chéris plutôt qu'en sujets; 3° de révoquer et regarder comme de nullité toutes les délibérations que la crainte et la terreur ont pu leur arracher jusqu'à ce jour et pourraient leur commander à l'avenir, protestant vouloir vivre et mourir sujets de N.-S. Père le Pape, et disciples de la religion catholique apostolique et romaine, dont il est le chef comme vicaire de Jésus-Christ et successeur de Saint-Pierre.

Ainsi proposé, conclu et délibéré.—*Extrait du registre de la commune de ce lieu de Séguret, tiré mot à mot.*

DAVID, *maire;*
BISCARRAT, *secrétaire-greffier.*

formed of and touched by the anarchy and the horrors which are desolating our province, has deigned in the immensity of its labors, to occupy itself with us, to pity our misfortunes and to send to us the Mediators, who, faithful to their most august mission, have made use of every means to restore peace and safety among us; 2. to renew the oath of fidelity to the Holy See in the person of Pius VI, Sovereign Pontiff, who, recalling to us by the wisdom of his government and the tenderness of his paternal heart, all the benefits with which his predecessors have always overwhelmed this province, and have always treated us as beloved children rather than as subjects; 3. to revoke and to regard as null all deliberations which fear and terror have been able to wrest from them up to this time and might be able to dictate to them in the future, protesting that they wish to live and to die subjects of our Holy Father the Pope, and disciples of the catholic apostolic and Roman religion, of which he is the head as Vicar of Jesus Christ and successor of Saint Peter.

Proposed, concluded and deliberated as above. *Extract from the register of the commune of this Town of Séguret, copied verbatim.*

DAVID, *Mayor;*
BISCARRAT, *Recording-Secretary.*

## *Report of Le Scène des Maisons on his Mission as Mediator. September 10, 1791* [1]

MESSIEURS,

Députés par le roi, vers les peuples d'Avignon et du Comtat, en exécution de vos lois des 24 mai et 4 juillet dernier, nous allons mettre sous vos yeux ce qui seul est digne de vous: la vérité attestée par le devoir et par l'honneur.

. . . . .

La révolution opérée dans Avignon et dans le Comtat Venaissin fut une suite naturelle, inévitable, de celle arrivée en France; ou plutôt elle fut la même, puisque, de tout temps, la nature, les liaisons du sang, les habitudes et la politique, qui n'est constamment dirigée que par la loi impérieuse des besoins mutuels, avaient fait de ces deux petites peuplades des portions de la grande famille dans le sein de laquelle elles étaient enclavées.[2]

. . . . .

Tel était le sort des Etats d'Avignon et du Comtat, lorsque l'Assemblée nationale s'en occupa au mois de mai, lorsque son humanité autant que sa justice décrétèrent d'y établir la paix avant de prendre un parti ultérieur au sujet de ses droits sur ce pays; telle était enfin la tâche à remplir par les médiateurs, et envoyés par le roi pour remplir ces vues.

GENTLEMEN,

As deputies from the King to the people of Avignon and the Comtat, in execution of your laws of May 24 and July 4 last, we are going to submit to you what alone is worthy of you: the truth attested by duty and by honor.

. . . . .

The revolution carried on in Avignon and the Comtat Venaissin was the natural and inevitable result of that which took place in France; or rather it was the same, since, in every age, nature, ties of blood, habits, and politics, which are continuously guided by the imperious law of mutual needs, have made these tiny groups but parts of the great human family in the midst of which they were placed.

. . . . .

Such was the condition of the States of Avignon and of the Comtat, when the National Assembly gave its attention to them in the month of May, and humanity as much as justice decreed that peace should be established there before any additional steps were taken in regard to its rights over the country; such was in short the task to be fulfilled by the Mediators sent by the King to carry out these views.

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[1] *Arch. parl.,* 1st series, vol. 30, p. 438 *et seq.* The Report of Verninac Saint-Maur is not given here as it relates only to events after the vote was taken. See below p. 87.

[2] The omitted paragraph recalls the events in Avignon and the Comtat before the arrival of the Mediators.

Les médiateurs s'arrêtèrent à Orange: ils crurent qu'il était sage d'éviter une nouvelle rivalité entre Avignon et Carpentras, puisqu'il était impossible de se rendre dans les deux villes en même temps. Ils crurent qu'il importait de connaître les dispositions et les prétentions de tous, avant de s'exposer dans un pays où rien alors n'était respecté; ils crurent qu'il importait d'amortir ce premier choc des passions opposées, et de réunir des hommes ennemis pour discuter en leur présence, et atteindre ensuite le but de leur mission. L'expérience confirma la justesse de leurs vues, ils obtinrent bien plus de sacrifices qu'ils n'en auraient obtenu autrement; chacun désirait la paix, et elle n'était offerte qu'aux prétentions raisonnables et au silence des passions.

Cependant, d'un côte, le territoire de France venait d'être violé à Gigondas par des assassinats commis par des gens de l'armée du Haut-Comtat; de l'autre, les rassamblements se continuaient, et il était à craindre qu'en licenciant l'armée avignonaise, celle qui se formait et qui paraissait considérable, qui semblait avoir des liaisons très-étendues, ne causât de plus grands désordres encore; déjà les chefs exigeaient, à l'instar de ceux d'Avignon, des contributions forcées, et ils trouvaient bon pour eux ce qu'ils condamnaient en autrui.

Il fallut retarder le licenciement de l'armée d'Avignon jusqu'à ce qu'il fut constant que les rassemblements se

The Mediators stopped at Orange: they believed that it was wise to avoid any additional rivalry between Avignon and Carpentras, since it was impossible to be in both towns at the same time. They believed that it behooved them to know the designs and claims of all, before appearing in a country where nothing was then respected; they believed that it behooved them to soften the first shock of opposing passions, and to bring hostile factions together in their presence for the purpose of discussion, and thus to attain the object of their mission. Experience proved the justice of their theories; they obtained many more sacrifices than they would have obtained otherwise; each desired peace, but this was rendered possible only by calmness and reasonable claims.

In the meantime, on one side, the territory of France was violated at Gigondas by murders committed by men of the army of the Haut-Comtat; on the other, crowds continued to congregate, and it was to be feared that in disbanding the army of Avignon, the one which was in training, and which seemed considerable and with extensive connections, might cause still greater disorders; already the leaders were demanding forced contributions, after the fashion of those of Avignon, and they thought things right for them which they condemned in another.

It was necessary to delay the disbanding of the army of Avignon until it was certain that the crowds had dissipassent, et que des préliminaires de paix, signés de toutes les parties, assurassent la tranquillité publique.

Au nombre des contractants étaient les députés de cette assemblée électorale réconnue par les uns, repoussée par les autres, et assez généralement haïe, puisque l'armée était à ses ordres et qu'elle portait l'odieux de toutes les vexations. L'admettre nous parut en principe, puisqu'elle nous présentait 68 procès-verbaux sur 84, en vertu desquels elle existait; puisque appeler une nouvelle députation, un nouveau corps délibérant, c'était opposer puissance à puissance, doubler les embarras et créer un nouvel obstacle à notre mission. Mais il fallait en même temps tranquilliser les communes qui la craignaient, qui ne voulaient point du tout la reconnaître; il fallait ramener celles qui avaient rappelé leurs électeurs, celles qui ne voulaient pas en entendre prononcer le nom. Il fallait enfin obtenir la volonté et la parole de toutes les communes de mettre bas les armes.

Nous trouvâmes ce point commun de la réunion des principes avec tous les intérêts, dans le troisième article des préliminaires. L'Assemblée électorale devait être reconnue par tous, mais à l'effet d'être seulement le nœud commun des intérêts de tous. Pour ôter toute crainte de ses entreprises ou de ses opérations politiques, elle consentait elle-même à être paralysée pour tout autre objet, et à n'avoir d'autre fonction que de recevoir, recueillir et constater les vœux des communes sur

dispersed, and that the Preliminaries of Peace, signed by all parties, would assure public tranquillity.

Among the contracting parties were the deputies of that Electoral Assembly which was recognized by some, rejected by others, and rather generally hated, since the army was under its orders and it bore the blame of all its misdeeds. To recognize it appeared to us necessary, since it presented to us sixty-eight formal minutes out of eighty-four, in virtue of which it existed, since to summon new deputies, a new deliberative body, would be but to oppose power to power, to double the embarrassment and to create a new obstacle to our mission. But it was necessary at the same time to quiet the communes which feared it, which strongly opposed recognizing it; it was necessary to bring around those which had recalled their electors, which could not bear to hear its name mentioned. Moreover, it was necessary to obtain both the desire and the promise of all the communes to lay down their arms.

We found this common point of union of principles and interests, in the third article of the Preliminaries. The Electoral Assembly should be recognized by all, but only as a common link in the interests of all. In order to remove all fear of its actions and political operations, it consented of its own free will to be inactive in every other respect, and to have no other function than that of receiving, collecting and reporting the votes of the communes on their

leur sort politique; car ces peuples sentaient fort bien que poser les armes n'était pas bannir l'anarchie d'un pays où chaque commune formait une espèce de petite république, où il n'existait aucun gouvernement, aucun ordre judiciaire; ils sentaient fort bien qu'il était important pour eux de presser le moment de déterminer leur sort politique, et que tous les moyens qui pouvaient y concourir devaient être saisis par eux avec avidité. Si l'Assemblée nationale s'était contentée de dire: rétablir la paix avant de statuer sur ses droits; pour eux qui n'apercevaient de bonheur que dans la réalisation de ces droits, qui déjà avaient présenté 68 délibérations sur 84, qui demandaient la réunion, qui avaient vu ce vœu ajourné, et à qui on avait reproché qu'ils ne l'avaient pas émis librement; pour eux, dis-je, la chose la plus instante, la plus importante était d'employer les premiers moments d'une paix garantie par la France, pour émettre de nouveau, et à l'abri de tout reproche, un vœu duquel ils faisaient dépendre leur bonheur.

Telle fut la matière et l'objet des articles 3 et 4 des préliminaires de paix.

Ces préliminaires de paix furent adoptés par l'Assemblée nationale; vous en fites, Messieurs, la loi du 4 juillet, et vous daignâtes en approuvant les mesures et la conduite des médiateurs, donner à leurs travaux la plus flatteuse récompense, à leur zèle le plus puissant aiguillon.

Notre première entrée dans le pays

political future; for the people saw clearly that laying down arms was not banishing anarchy from a country where each commune formed a kind of tiny republic, where existed neither government nor courts; they knew well that it was important for them to hasten the time of decision in regard to their political future, and that all means which could contribute to it should be seized with avidity. If the National Assembly had been content to say: reestablish peace before coming to a decision in regard to their political rights; for those who saw happiness only in the realization of these rights, who had already presented sixty-eight deliberations out of eighty-four, demanding union, who had seen this wish put aside, who had borne the reproach that it had not been freely expressed; for them, I say, the most urgent, and important thing was to employ the first moments of a peace guaranteed by France, in order to express again, guarded from all reproach, the wish upon which depended their happiness.

Such was the matter and the object of Articles 3 and 4 of the Preliminaries of Peace.

These Preliminaries of Peace were adopted by the National Assembly; you made of them, Gentlemen, the law of July 4, and you deigned, in approving the measures and the conduct of the Mediators, to give the most flattering reward to their work, the most powerful spur to their zeal.

The first entry in the country was

fut la plus douce des jouissances; des champs couverts de riches moissons attendaient les bras du cultivateur; abandonnés depuis longtemps, ils virent reparaître les mains qui les avaient fertilisés, et de tous côtés nous recueillions pour vous les actions de grâces et les bénédictions d'un peuple à qui vous rendiez le bonheur.

Cependant les rassemblements de Brantes, du Liberon et de Lagnes venaient être dissipés par nos soins et notre fermeté, l'armée d'Avignon venait d'être licenciée; et afin de prévenir tout trouble, et sur la demande des municipalités, conformément à la garantie de la loi du 4 juillet, nous avions fait marcher à Avignon 2 bataillons du ci-devant régiment de la Fère, un de Somnemberg et 2 escadrons de hussards; nous avions fait marcher à Carpentras un bataillon du ci-devant régiment de Soissonais, un escadron de dragons et une compagnie d'artillerie; c'était tout ce qu'il nous avait été possible d'obtenir, quoique infiniment au-dessous de ce qui était nécessaire pour maintenir la paix dans un pays de haines si invétérées, si multipliées.

Toutefois, l'armée rentra dans Avignon: cette armée à laquelle les calamités peut-être inévitables qu'elle avait produites; les haines de la municipalité et les calomnies qui en avaient été la suite, avaient attaché la désignation odieuse de brigands. Elle était composée de la garde soldée avignonaise, d'un fort détachement de la garde nationale, et de 180 déserteurs français, à peu près: elle montait

the most delightful of pleasures; fields covered with rich harvests awaited the arms of the farmers; abandoned for a long time, they saw again the hands which had enriched them, and on all sides we received for you the thanks and the blessing of a people to whom you had restored happiness.

In the meantime, the gatherings of Brantes, of the Liberon and of Lagnes had been dispersed by our care and our firmness, the army of Avignon had been disbanded; and in order to prevent all trouble, and upon the request of the Municipality, in conformity with the guarantee of the law of July 4, we ordered to Avignon two battalions of the former regiment of la Fère, one of Somnemberg, and two squadrons of huzzars; we ordered to Carpentras a battalion of the former regiment of Soissonais, a squadron of dragoons and a company of artillery; this was all that it was possible for us to obtain, though infinitely below what was requisite in order to maintain peace in a country of such numerous and inveterate hatreds.

Nevertheless, the army entered Avignon; this army to which the calamities, perhaps inevitable, which it had occasioned, the antagonism of the Municipality and the calumnies which had thereby resulted, had attached the odious name of "brigands." It was composed of the paid guard of Avignon, of a strong detachment of the National Guard, and of about one hundred and eighty French

à plus de 3,000 hommes. Après avoir remis leurs canons, la plupart des détachements se retirèrent tranquillement dans leurs communes. Nous proclamâmes l'amnistie, et nous fîmes partir les déserteurs. Nous n'avions alors qu'à nous louer des chefs de l'armée et de l'assemblée électorale; ils se conformaient strictement à la loi, et l'ordre régnait dans Avignon.

Mais les haines étaient encore trop fraîches, les ressentiments trop actifs pour obtenir une tranquillité absolue. Caron avait été une des villes malheureuses qui, flottant dans ses opinions, avait fourni des détachements aux deux armées ennemis. Nous avions prévu cet inconvénient, et pour éviter l'effet de ces haines, nous avions écrit au commandant de Soissonais de protéger sa rentrée par un détachement des troupes de ligne. En arrivant a Carpentras, ceux de Caron furent attaqués par le peuple; un d'eux fut massacré malgré les efforts de nos troupes; M. Desperon sauva le reste.

Il les fit conduire à Caron par 60 hommes de ligne et remettre sous la protection d'une compagnie d'artillerie. Le peuple, excité par un nommé Clément, commandant de Brantes, et ancien déserteur français, dit-on, fut bientôt en insurrection. On arrache 11 de ces malheureux du château où on les avait déposés, et sous les yeux du détachement français; les officiers municipaux se cachent ou ne paraissent pas. Sem-

deserters: it comprised more than 3,000 men. After having given up their guns, the greater part of the detachments retired tranquilly to their communes. We proclaimed an armistice, and we ordered off the deserters. We had at that time nothing but praise for the leaders of the army and of the Electoral Assembly; they conformed strictly to the law, and order reigned in Avignon.

But hatred was too fresh and resentment too active to obtain absolute tranquillity. Caron had been one of the unhappy towns which, wavering in its opinions, had furnished detachments to the two hostile armies. We had foreseen this difficulty, and in order to prevent the effect of these antagonisms, we had written to the commanding officer of the Soissonais to protect his return by a detachment of troops of the line. On arriving at Carpentras, the soldiers of Caron were attacked by the people; one of them was murdered notwithstanding the efforts of the troops; M. Desperon saved the rest.

He had them conducted to Caron by sixty men of the line and placed under the protection of a company of artillery. The people, aroused by one named Clément, Commandant of Brantes, and said to be a former French deserter, were soon in insurrection. They dragged eleven of these unfortunates from the château where they had been lodged, and under the eyes of the French detachment; the municipal authorities

blables aux cannibales, on les traine hors des murs, on leur donne un confesseur, et là on les assassine tous à coups de fusil: entre eux était un électeur.

On dit, et on aura peine à le croire, mais, à la honte de l'humanité, le fait est certain, je l'ai verifié; cet atroce Clément forçait les pères et mères de ces malheureuses victimes à aller assister à cet affreux assassinat. (*Mouvement.*)

Dès que la nouvelle nous parvint, nous courûmes en arrêter les suites; mais, à l'instant, il fallut se multiplier; le complot paraissait formé d'assassiner tous les détachements de l'armée avignonaise à leur rentrée paisible dans leurs foyers: cela arrivait dans les communes où il y avait eu le plus de division. L'humanité nous donna des ailes: nous nous trouvâmes à Piolène, à Lisle et dans d'autres communes à l'instant où les sacrifices humains allaient commencer; et à force de soin, de prières, de raisons et de menaces, nous parvînmes à rétablir le calme.

L'expérience prouva bien alors combien nos réclamations étaient justes, et combien nos forces étaient insuffisantes. D'après l'impossibilité d'avoir des troupes de ligne, et les refus que nous éprouvions, nous crûmes devoir employer les moyens que nous fournissait la loi du 4 juillet, et demander, en conséquence, des gardes nationales. Nous crûmes qu'il serait plus aisé d'obtenir 15 ou 1,800 gardes nationaux qui nous promettaient des res-

either hid themselves or did not appear. Like cannibals, they dragged them outside the walls, gave them a confessor, and there they shot them. Among them was an elector.

They say, and one will have difficulty in believing it, but to the shame of humanity, it is a fact, I have verified it, this atrocious Clément forced the fathers and mothers of these unhappy victims to witness their murder. (*Movement.*)

As soon as the news reached us, we hastened to prevent the consequences; but at that moment it was necessary to multiply oneself; the plot appeared to be formed to murder all the detachment of the army of Avignon on their peaceable return to their firesides: this was in the communes in which dissensions had been greatest. Humanity gave us wings: we arrived at Piolène, at Lisle and at other communes at the very moment that the human sacrifices were to begin; and by our care, our prayers, reasoning, and menances, we succeeded in reestablishing peace.

Experience proved clearly at that time that our claims were just and our forces insufficient. From the impossibility of getting troops of the line, and the refusal which we received, we believed that we should make use of the means which the law of July 4 furnished us, and demand, in consequence, the National Guard. We believed it would be easy to obtain 1500 or 1800 National Guards who would be sufficient to con-

sources suffisantes pour consolider cette paix que la loi nous chargeait d'établir, et que d'ailleurs, 1,500 gardes nationaux, pris dans les 3 départements environnants, ne pourraient pas les affaiblir.

Nous en obtinmes, non sans beaucoup d'embarras et de nombreux refus. Dès que nous pûmes en placer dans divers points du Comtat, de manière à prévenir les assassinats, nous crûmes qu'il était important d'inspirer la confiance à tous les partis, de fournir à tous les emigrants les moyens de rentrer dans leurs foyers. Nous adressâmes, à cet effet, aux commandants divers, une instruction, dans laquelle nous recommandions la plus grande impartialité, protection et sûreté pour tous. Nous fîmes rendre la liberté à des prisonniers chers á tous les partis, et notamment à MM. de Sainte-Croix, impliqués dans l'affaire du malheureux La Vilasse, maire de Vaison. La confiance et l'ordre se rétablirent en effet; tous les émigrants rentrèrent ou purent rentrer dans le Comtat.

Ce fut après ces mesures que l'assemblée électorale engagea les communes à s'assembler, et à émettre, conformément aux préliminaires de paix, un vœu sur leur sort politique, qui pût étre présenté par elle à l'Assemblée nationale lorsqu'elle prendrait un parti ultérieur sur ses droits sur les deux Etats d'Avignon et du Comtat.

A cette époque, les membres de la médiation furent appelés, par les cir-

solidate this peace which the law charged us to establish, and that moreover, 1500 National Guards taken in the neighboring departments, could not weaken them.

We obtained them, not without a good deal of embarrassment and numerous refusals. As soon as we were able to place them at different points in the Comtat, in order to prevent the assassinations, we believed it was important to inspire confidence in all parties, and to furnish to the emigrants the means to return to their homes. We forwarded, to the various commanding officers, instructions to this effect, recommending the greatest impartiality, protection and security for all. We ordered the liberation of prisoners dear to all parties, and especially MM. de Sainte-Croix, implicated in the affair of the unfortunate La Vilasse, mayor of Vaison. Confidence and order were in fact reestablished; all the emigrants returned, or were able to return to the Comtat.

It was after these measures that the Electoral Assembly invited the communes to assemble, and to declare, in conformity to the peace preliminaries, their wishes in regard to their political future, in order that they might present them to the National Assembly when additional action would be taken in regard to its rights in the two States of Avignon and the Comtat.

At this time the Mediators were called by circumstances to different constances, à des occupations différentes. Avignon était devenu le centre des affaires, et l'un de nous dut y rester; il fallait qu'un'autre surveillât les opérations de l'assemblée électorale, pour la contenir dans les bornes qui lui étaient prescrites par le traité, et qu'il se tînt à Sorgues, près d'Avignon, pour cet objet. Le maintien de la paix dans le Comtat, la demande et les sollicitations des communes, qui se plaignaient de la préférence accordée à Avignon, firent juger qu'il était important que l'un de nous se rendît à leurs désirs, et dissipât les calomnies que les ennemis du bien public et les écrivains qui leur sont vendus ne cessaient de répandre. Je fus chargé de cette mission, et je déclare à l'auguste Assemblée qui m'entend, que si toutes les communes du Comtat n'ont pas alors joui de la paix la plus parfaite, les individus de la sûreté la plus entière, les communes de la liberté de suffrages la plus absolue, la plus indépendante, moi seul j'en suis et m'en rends responsable. Déjà grand nombre avaient émis leur vœu lorsque je me suis présenté chez elles: 7 l'ont émis en ma présence. A Valréas, par exemple, chef-lieu du parti qui tient au pape, l'assemblée s'est tenue en présence de 150 gardes nationaux, demandés par une partie de la municipalité, sous mes yeux et ceux des hussards qui m'accompagnaient. J'ai fourni une garde pour la police et la sûreté de l'assemblée, sur la demande faite par la municipalité, et l'assemblée a voté pour la cour de Rome. A Piolène, à Sérignan, à Vil-

occupations. Avignon had become the center of affairs, and one of us must stay there; it was necessary for another to watch the conduct of the Electoral Assembly in order to keep it within the limits prescribed by the treaty, and to establish himself at Sorgues, near Avignon, for this purpose. The maintenance of peace in the Comtat and the prayers and solicitations of the communes, which complained of the preference accorded to Avignon, led us to believe that it was important for one of us to yield to their desires, and dissipate the slanders which the enemies of public security and the writers hired by them did not cease to spread. I was charged with this mission, and I declare to the august Assembly which now hears me, that if all the communes of the Comtat did not at that time enjoy the most perfect peace, and individuals the most perfect security, and communes the most absolute, free and independent liberty of suffrage, I alone am responsible. Many already had declared their wishes when I went among them: seven did so in my presence. At Valréas, for instance, the stronghold of the party of the Pope, the assembly was held in the presence of one hundred and fifty national guards, asked for by a part of the Municipality, under my eyes, and those of the hussars who accompanied me. I furnished a guard for the police and the security of the assembly, by request from the Municipality, and the assembly voted for the Court of Rome. At ledieu, etc., il est arrivé la même chose, et les vœux ont été pour la cour de Rome.

Il est donc impossible de révoquer en doute la liberté qui a présidé aux vœux emis; partout j'ai prêché l'union, la paix, la concorde et la liberté des opinions; partout je les ai établies, et j'en appelle sur la vérité de ces faits, non pas aux 60 communes qui veulent être françaises, mais aux chefs de celles qui ont voté en sens contraire, que ma conduite a forcés à l'estime et qui m'en ont donné des preuves non équivoques, et que je produirai à l'Assemblée si elle l'ordonne.

Piolène, at Sérignan, at Villedieu, etc., the same thing happened and the vote was for the Court of Rome.

It is, then, impossible to call in question the freedom amid which the votes were cast; everywhere I preached union, peace, concord and liberty of opinion; everywhere I established them, and as to the truth of these facts I appeal, not only to the sixty communes which wish to be French, but to the heads of those which have voted to the contrary, from whom my conduct has called forth esteem of which I have received far from doubtful proof, which I will produce if the Assembly orders it.

## *Fourth Report of the Committees on Avignon and the Comtat Venaissin, September* 12, 1791 [1]

M. DE MENOU, *rapporteur.* J'observe à l'Assemblée que j'ai là les pièces probantes de tous les faits que je vais annoncer.

Messieurs, les comités que, pour la $4^e$ fois, vous avez chargés de vous rendre compte de l'affaire des Etats réunis d'Avignon et du Comtat Venaissin, vont avoir l'honneur de vous rendre compte avec exactitude et impartialité, de la situation actuelle de ces deux malheureux pays, qui placés presque au centre de l'Empire français et sous le climat le plus heureux, sont depuis longtemps livrés a tous

M. DE MENOU, *reporter.* I notify the Assembly that I have here the convincing proofs of all the facts which I am about to state.

Gentlemen, the committees which, for the fourth time, you have charged to render an account to you of the affair concerning the united states of Avignon and the Comtat Venaissin, will have the honor of reporting to you with exactness and impartiality the actual condition of those two unfortunate countries, which, situated nearly in the centre of the French dominions, and blessed les désordres de la licence et de l'anarchie.

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[1] *Arch. parl.,* 1st series, vol. 30, p. 579.

. . . . .

Vos comités n'ont pas cru devoir traiter de nouveau la question des droits de la France sur les Etats d'Avignon et du Comtat venaissin; elle a été débattue et discutée, à différentes époques, dans 22 séances de cette Assemblée; le pour et le contre vous sont suffisamment connus; et chacun peut s'être formé une opinion juste et saine de nos droits sur ces 2 Etats; *droits* qui ont été formellement réservés par l'Assemblée nationale, dans l'article premier de son décret du 25 mai, qui ordonne l'envoi des commissaires médiateurs.

. . . . .

L'Assemblée nationale, après une discussion qui dura plusieurs jours, ne croyant pas que le vœu de réunion, présenté par les Avignonais et les Comtadins, fut assez solennellement, assez librement et assez légalement émis, pour être accepté par elle, se détermina par un décret du 25 mai à envoyer des commissaires médiateurs, avec mission de rétablir l'ordre et la tranquillité parmi ces 2 peuples, et d'y faire cesser toute hostilité, comme un préalable nécessaire avant de prendre aucun parti ultérieur relativement aux droits de la France sur ce pays.

Dans les 4 articles de ce décret, il n'est nulle part mention du pape, ni de la cour de Rome.

L'Assemblée nationale, en y réser-

with the best of climates, have for a long time been given over to all the disorders of license and anarchy.

. . . . .

Your committees did not deem it necessary to deal again with the question of the rights of France over the States of Avignon and the Comtat Venaissin; it has been debated and discussed at different times during twenty-two sittings of this Assembly; you are sufficienly familiar with the *pros* and *cons,* and each one of you has been able to form a just and sane opinion of our rights over these two states; rights which were formally reserved by the National Assembly in the first article of its decree of May 25, which directs the sending of a commission of mediators.

. . . . .

The National Assembly, after a discussion lasting several days, not considering that the vote of union presented by the citizens of Avignon and the Comtat had been cast in a manner sufficiently formal, free or legal to be accepted by it, decided, through a decree of May 25, to send a commission of mediation, whose mission would be to reestablish order and quiet among these two peoples, and to stop all hostilities, as a necessary preliminary to any further action relative to the rights of France over the country.

In the four articles of this decree, there is no mention of the Pope or of the Court of Rome.

The National Assembly, while revant les droits de la France, reconnaît cependant implicitement l'indepéndance des Avignonais et des Comtadins, puisqu'elle envoie des médiateurs pour interposer leurs bons offices entre 2 peuples qui se font la guerre.

Les médiateurs partent et arrivent dans les pays belligérants; leur premier soin est de concilier les 2 peuples: le 19 juin des députés de toutes les parties intéressées se rassemblent à Orange, et signent, en présence des médiateurs de la France et sous leur garantie provisoire, des préliminaires de paix contenant 7 articles; dans aucun de ces articles, il n'est question du pape ni de la cour de Rome. Les Comtadins et les Avignonais stipulent comme peuples indépendants et souverains; l'article 4 est surtout remarquable; il consacre le principe que la souveraineté sera exercée exclusivement par le corps représentatif de la nation, et ce corps représentatif est l'assemblée électorale qui doit être composée des députés des communes.

Ces préliminaires de paix sont envoyés par les médiateurs à l'Assemblée nationale et au roi, et le 4 juillet l'Assemblée nationale rend un décret solennel par lequel: 1° elle approuve la conduite des commissaires médiateurs envers les différents partis belligérants;

2° Par lequel elle confirme la garantie donnée par les 3 commissaires médiateurs pour l'exécution des articles et préliminaires de paix arrêtés et signés à Orange.

serving in this decree the rights of France, recognizes implicitly, however, the independence of Avignon and the Comtat, by sending mediators to offer their services to two warring peoples.

The Mediators having arrived in the belligerent countries; their first care was to conciliate the two peoples. On June 19 deputies from all the interested parties assembled at Orange, and, in the presence of the French Mediators and under their provisional guarantee, signed the Preliminaries of Peace containing seven articles. In none of these articles is there question of the Pope or of the Court of Rome. The Comtat and Avignon made their stipulations as independent and sovereign peoples. Article 4 is especially noteworthy: it sanctions the principle that sovereignty will be exercised exclusively by the representative body of the nation, and this representative body is the Electoral Assembly, which must be composed of the deputies from the communes.

These Preliminaries of Peace were sent by the Mediators to the National Assembly and to the King, and on July 4 the National Assembly issued a solemn decree, which first approved the conduct of the commission of mediation towards the various belligerent parties;

2. Confirmed the guarantee given by the three commissioners for the execution of the articles and Preliminaries drawn up and signed at Orange.

Dans ce décret, nulle mention du pape, ni de la cour de Rome. L'Assemblée nationale reconnaît clairement l'indépendance et la souveraineté des Avignonais et des Comtadins, puisqu'elle garantit un traité passé entre deux peuples qui ont stipulé en leur propre et privé nom, et en vertu de leur indépendance et de leur souveraineté. Si l'Assemblée nationale n'eût pas reconnu cette indépendance, eût-elle, sans l'intervention du pape, sans son agrément, sans qu'il fût appelé comme partie intéressée, garanti le traité passé entre les Comtadins et les Avignonais? Il est donc évident, et c'est un point convenu, et qu'on ne peut contester, si on est de bonne foi, que ces deux peuples sont reconnus libres et indépendants par la France, et qu'ils ont pu et dû émettre leur vœu sur l'état politique de leur pays.

*Ce vœu a-t-il été libre, a-t-il été solennel, a-t-il été légal?*

D'après les préliminaires de paix arrêtés à Orange et garantis par l'Assemblée nationale, les médiateurs écrivent au président de l'assemblée électorale, qui, conformément à l'article 2 du traité de paix, tenait ses séances à Bédarrides, lieu qui n'était soupçonné d'aucune influence de parti, lui écrivent, dis-je, pour le prier de faire passer à toutes les communes des deux Etats une lettre par laquelle elles étaient invitées à se réunir pour émettre leur voeu sur l'état politique du pays.

In this decree, no mention of the Pope or of the Court of Rome. The National Assembly clearly recognized the independence and the sovereignty of Avignon and the Comtat, by guaranteeing a treaty between two peoples who made their stipulations in their own name and by virtue of their independence and of their sovereignty. If the National Assembly had not recognized this independence, would it have guaranteed the treaty between the Comtat and Avignon without the intervention of the Pope, without his agreement and without his having been named as an interested party? It is therefore evident, and it is an agreed and incontestable fact to those of good faith, that these two peoples are recognized by France to be free and independent, and that they could and should express their vote on the political status of their country.

*Was this vote free, was it solemn, was it legal?*

According to the Preliminaries of Peace drawn up at Orange and guaranteed by the National Assembly, the Mediators wrote to the president of the Electoral Assembly, which conformably to Article 2 of the treaty of peace, held its meetings at Bédarrides, a place which was thought to be free from all party influence; wrote to him, I say, to ask him to transmit a letter to all the communes of the two states, inviting them to assemble and to cast a vote on the political condition of the country.

De 98 communautés qui forment les deux Etats réunis, 71 se sont rassemblées et ont émis leur voeu. 52 ont démandé leur réunion à la France, 19 ont voté pour le pape; des 27 autres, 17 qui avaient voté pour la France dans les mois d'avril et de mai, et qui sont formées par les habitants les plus laborieux qui se trouvaient dans ce moment occupés aux récoltes et travaux de la campagne, 17, dis-je, n'ont point émis de nouveau vœu; mais il est à remarquer qu'elles avaient précédemment, et à plusieurs reprises, délibéré leur réunion à la France. Ainsi n'ayant pas formé de vœu contraire, dans un moment où il était essentiel pour elles de le manifester, si elles avaient changé d'opinion, leur silence doit être considéré comme une confirmation de leur précédente délibération.

10 n'ont point émis de vœu ni pour la France, ni pour le pape, et semblent attendre le dénouement de l'affaire. Mais, quand même on n'admettrait pas cette opinion et qu'on s'en tiendrait à ne considérer que les 52 communautés qui ont voté pour la France, elles forment la majorité en nombre de communes et en population. En nombre de communes; car de 98 otez 52, restent 46; ce qui donne 6 communes de plus pour la France. Et j'ai l'honneur de vous faire remarquer, Messieurs, que ce calcul est le plus favorable pour la cour de Rome. Car, dans cette hypothèse, je suppose que les 46 communes ont voté pour le pape. Et cependant, il est certain que 19 seulement ont délibéré pour con-

Of the ninety-eight comunities, which form the two united states, seventy-one assembled and voted. Fifty-two asked to be united to France, nineteen voted for the Pope. Of the twenty-seven others, seventeen who had voted for France during the months of April and May, and who comprised the most hard working of the inhabitants engaged at this time in harvesting and farm work, seventeen, I say, did not cast a new vote; but it was to be remarked that they had previously repeatedly decided for union with France. Therefore, not having cast a contrary vote at a time when it was essential for them to mention it, if they had changed their opinion, their silence must be considered as a confirmation of their previous decision.

Ten did not vote either for France or for the Pope, and seem to be awaiting the outcome of the affair. But, even should one not admit this opinion and should one consider only the fifty-two communities who voted for France, they still form the majority in number of communes and in population; for, subtract fifty-two from ninety-eight and forty-six remains, which gives six more communes to France. And I have the honor, gentlemen, of calling your attention to the fact that this calculation is most favorable to the Court of Rome. For, in this hypothesis, I infer that forty-six communes voted for the Pope and yet it is certain that only nineteen decided to preserve the

server l'ancien régime; que 17 qui avaient précédemment voté pour la France, n'ont point émis de nouveau vœu, et que 10 n'en ont jamais émis; donc il n'y a véritablement que le vœu de 19 communes qui puisse balancer celui des 52 qui ont voté pour la France, ce qui établit en faveur de la réunion une différence de 33 communes.

Quant à la population, la totalité de celle des deux Etats réunis est de 152,919 âmes; et celle des 52 communautés qui ont voté pour la France de 101,046. Dans le calcul le plus favorable au pape, c'est-à-dire, en supposant que 46 communes ont voté en sa faveur, il aurait pour lui 51,873 habitants. La France en a eu 101,046; différence en faveur de la France, 24,586; car la majorité dans 152,919 est formée par 76,460; et 101,046 ont voté pour la France.

Mais, en rétablissant le calcul tel qu'il doit être, c'est-à-dire en se rappelant qu'il n'y a véritablement que 19 communes qui aient voté pour le pape, la majorité devient bien plus forte encore en faveur de la France.

Car, ces 19 communes ne comprenant que 30,667 individus, il en résulte en faveur de la France une différence de 70,379 habitants. Si à ce nombre on ajoute celui des individus formant la population des 17 communes qui, ayant émis en avril et mai leur vœu en faveur de la France, n'en ont émis de nouveau en faveur du pape, la majorité deviendra encore bien plus considérable; car cette popu-

old order of government; that seventeen who had previously voted for France did not cast a new vote and that ten did not vote at all. Therefore there is really only the vote of the nineteen communes to counterbalance that of the fifty-two who voted for France, which establishes a difference of thirty-three communes in favor of the union.

As to the population: the total number for the combined states is 152,919 souls, and for the fifty-two communities who voted for France 101,046. In the calculation most favorable to the Pope, that is to say, supposing that the forty-six communes voted in his favor, he would have on his side 51,873 inhabitants. France had 101,046, a difference of 24,586 in favor of France; for the majority of 152,919 is formed by 76,460, and 101,046 voted for France.

But, making the calculation as it should be made, that is to say, remembering that there were really only nineteen communes who voted for the Pope, the majority in favor of France becomes still greater.

These nineteen communes comprising only 30,667 individuals, the resulting difference in favor of France amounts to 70,379 inhabitants. If to this number is added that of the individuals forming the population of seventeen communes, who, having voted in favor of France during April and May, did not vote again in favor of the Pope, the majority will be considerably in-

lation s'élève à 15,677 individus qui, réunis aux 101,046 qui ont voté pour la France dans les 52 communes, forment un total de 116,723 habitants, tandis qu'il n'y en a pour le pape que 30,667; plus, dans le nombre de ceux qui ont voté pour le pape, il s'est trouvé une minorité assez considérable qui a voté pour la France; entre autres à Valréas, à Buisson, à Ville et à Piolène. Ce sont les délibérations elles-mêmes qui en font foi; á quelques-unes, sont annexées des protestations.

Le vœu de toutes les communes a été parfaitement libre. Car sous les yeux des médiateurs de la France, en présence des troupes de ligne et des gardes nationales françaises, plusieurs communautés ont voté pour le pape; et leurs délibérations portent des remerciements aux médiateurs pour avoir assuré la liberté des opinions, la sûreté des personnes et des propriétés.

Parmi les 19 communes qui ont voté pour le pape, 11 avaient garnison française qu'elles avaient démandée pour assurer leur liberté physique et morale; il est donc impossible de dire, à moins qu'on ne soit de la plus mauvaise foi, que leurs délibérations n'ont pas été libres. Une d'entre elles, *Bollène,* ayant, depuis l'émission de son vœu pour le pape, réfléchi que son intérêt demandait sa réunion à la France, a écrit à l'un des médiateurs pour demander à se rassembler de nouveau. Il a répondu, avec la dignité qui convenait à sa mission, que le vœu ayant été émis légalement en fa-

creased; for this population amounts to 15,677 individuals, which, added, to the 101,046 who voted for France in the fifty-two communes, makes a total of 116,723 inhabitants, whereas for the Pope there were only 30,667. Moreover, in the number of those voting for the Pope, there was a fairly considerable minority who voted for France; among other places at Valréas. Buisson. Ville and Piolène. The resolutions themselves prove this; to some of them declarations are attached.

The vote of all the communes was entirely free. For, under the eyes of the French Mediators, of the regular troops and of the French National Guards, several communities voted for the Pope, and their resolutions convey their thanks to the mediators, for having secured to them freedom of opinion and safety of person and of property.

Among the nineteen communes which voted for the Pope, eleven had French garrisons, for which they had asked, in order to secure physical and moral freedom. It is, therefore. impossible to state, unless one does so in bad faith, that their deliberations were not free. One among them, *Bollène,* after having voted for the Pope on second thought decided that its interest demanded its union with France, and wrote to one of the Mediators asking to assemble again. He replied, with the dignity becoming to his mission, that the vote having been legally cast in favor of the

veur du pape, il ne permettrait qu'on ne variait pas ainsi dans un si court espace de temps; et que ce qui avait été fait l'était dûment et légalement. Qu'on ose dire actuellement que la liberté des suffrages n'a pas été entière et que les médiateurs ont cherché à accaparer les opinions. Dans quelques-unes des communes qui ont voté pour la France, des individus ont voté librement pour le pape, et leur opinion est insérée dans les délibérations, telles qu'à Aubignan, à Bédarrides où siégeait l'assemblée électorale, à Crestets à Entrechaux, à Lille, à Lillia, à la Roque-sur-Pernes, au Thor et à Vaison.

Il est encore à remarquer que, dans les 52 communes qui ont voté pour la France, 9 seulement avaient garnison française, et que, comme je l'ai déjà dit, sur 19 qui ont voté pour le pape, 11 avaient garnison française, et personne n'ignore que les gardes nationales des départements voisins du Comtat désirent vivement la réunion; donc les médiateurs ont employé tous leurs moyens pour assurer la liberté des opinions et y sont parvenus. Donc l'émission des vœux en faveur de la France a été libre et spontanée.

Le vœu a été solennel; car partout il a été émis après une convocation faite à son de trompe ou de tambour, et après des affiches préalablement apposées; les rassamblements ont eu lieu dans les églises, en plein jour et avec l'appareil qu'exigeait une affaire aussi importante.

Le vœu a été légal; car il a été

Pope, he would not allow them to change it in so short a space of time, and that what was done had been done duly and legally. No one could dare now to say that suffrage was not entirely free and that the Mediators sought to influence opinion. In some of the communes which voted for France, some individuals freely voted for the Pope, and their opinion is inserted in their resolutions, as at Aubignan, at Bédarrides, where the Electoral Assembly was sitting, at Crestets, at Entrechaux, at Lille, Lillia, Roque-sur-Pernes, Thor and Vaison.

It is also worth remarking that in the fifty-two communes which voted for France, only nine had French garrisons, and, as I previously said, of the nineteen which voted for the Pope, eleven had French garrisons, and no one is igorant of the fact that the National Guards of the neighboring departments to the Comtat eagerly desired union. Therefore, the Mediators employed every means to secure liberty of opinions and succeeded in their endeavors. Therefore the voting in favor of France was free and spontaneous.

The vote was solemn, for everywhere it was cast after a summons by trumpet and drum, and after preliminary placards had been posted. The assemblies took place in the churches, in broad daylight and with all the solemnity demanded by so important an occasion.

The vote was legal, for it followed

la suite du traité de paix signé à Orange et garanti par l'Assemblée nationale; l'ordre de convocation a été donné par l'assemblé électorale d'après l'invitation des médiateurs; toutes les formalités ont été remplies dans les assemblées, car on y a procédé à la nomination d'un président, d'un secrétaire et de trois scrutateurs, après s'être préalablement assemblés sous la présidence du plus ancien d'âge, ainsi que le prescrivent les décrets de l'assemblée nationale; on y a nommé, ensuite des députés pour porter les vœux à l'assemblée électorale qui, après le recensement des délibérations, a constaté la majorité, et a émis elle-même son vœu en faveur de la réunion, ainsi que le portent formellement les pouvoirs donnés à MM. les députés de cette assemblée pour se rendre à l'Assemblée nationale de France. Vos comités ont donc conclu que le vote des communes était libre, solennel et légal.

*Est-il de l'intérêt de la France d'accepter la réunion?*

Vos comités vous ont observé, Messieurs, que l'indépendance des Avignonais et des Comtadins avait été incontestablement reconnue par l'Assemblée nationale dans les décrets des 25 mai et 4 juillet; qu'en conséquence, ces peuples avaient le droit de voter sur leur état politique; que leurs délibérations avaient été prises avec cette liberté de suffrage et d'opinions, qui seule peut en caracteriser la légalité. Il s'agit de savoir si la France a intérêt d'accepter la réunion

the treaty of peace signed at Orange and guaranteed by the National Assembly. The order of convocation was given by the Electoral Assembly according to the invitation of the mediators. All the formalities were complied with in the assemblies, for they proceeded to the nomination of a president, of a secretary and of three scrutators, after having previously assembled under the presidency of the oldest in age, as prescribed by the decrees of the National Assembly. They then nominated deputies to carry the votes to the Electoral Assembly, which, after verifying the returns, announced the majority and cast their own vote in favor of union, according to the formal powers given to the deputies of this Assembly to be carried to the National Assembly of France. Your committees, therefore, agreed that the vote of the communes was free, solemn and legal.

*Is it to the interest of France to accept the union?*

Your committees have remarked to you, Gentlemen, that the independence of Avignon and the Comtat was incontestably recognized by the National Assembly in the decrees of May 25 and July 4, that in consequence these peoples had the right to vote on their political status; that their resolutions were taken with that liberty of suffrage and of opinion, which alone characterize legality. It is necessary to know whether it is to the interest of France to accept the demandée par la majorité des Avignonais et des Comtadins réunis.

Cette question a déjà été agitée et discutée profondément dans diverses séances de l'Assemblée nationale.

La majorité des députés des départements voisins désire cette réunion. . . .

L'intérêt de nos manufactures exigerait qu'on entourât de barrières Avignon et le Comtat; et comment pourrait-on y parvenir sans des frais immenses?

. . . . .

Avignon, par sa situation, est un des boulevards de la France, du côté des montagnes qui lient le Dauphiné et la Provence aux Etats du roi de Sardaigne; et il est assez aisé de pénétrer jusqu'à cette ville par les gorges de ces montagnes; il est donc de l'intérêt de la France d'occuper un poste aussi important; il est donc de son intérêt d'accepter la réunion des 2 Etats.

*Les nations étrangères verront-elles d'un œil tranquille cette réunion?*

Cette question a déjà été trés longuement discutée.

Les gens de bonne foi peuvent-ils croire que ce sera le prétexte dont les puissances étrangères se serviront pour nous attaquer, si jamais elles en viennent à cette extrémité, ce que moi, particulièrement, je ne crois pas? Depuis 2 ans elles ont trouvé des cir-

union asked by the majority of the united people of Avignon and of the Comtat.

This question has already been agitated and exhaustively discussed in various sittings of the National Assembly.

The majority of the deputies from the neighboring departments desire this union. . . .

The interest of our manufactures would exact the erection of barriers around Avignon and the Comtat and how could this be done without immense expense?

. . . . .

Avignon, by its situation, is a bulwark of France on the side of the mountains which connect the Dauphiné and Provence with the dominions of the King of Sardinia, and it is easy enough to penetrate as far as the city by way of the mountain gorges. It is therefore to the interest of France to occupy so important a post and to accept the union of the two states.

*Will the foreign nations be willing to accept this union?*

This question has already been discussed at great length.

Is it possible for people of good faith to believe that it will constitute a pretext, of which the foreign Powers will make use to attack us, should such an extremity ever arise, which I, for one, do not believe? For two years they have found cir-

constances bien plus favorables pour nous faire la guerre; en ont-elles profité? Non: 1⁰ parce qu'elles connaissent notre énergie, et notre amour indestructible pour la liberté.

. . . . .

Tous les étrangers connaissent aussi bien que nous nos droits sur ces pays; ils savent bien que dans les circonstances actuelles Avignon et le Comtat ne peuvent exister sans s'incorporer à la France; ils savent bien que notre puissance n'en sera pas augmentée, et que, tout au plus, cette réunion ne servira qu'à diminuer quelques gênes commerciales. Personne n'a jamais ignoré que, tôt ou tard, Avignon et le Comtat devaient rentrer sous notre domination. Si Avignon et le Comtat existaient au milieu de l'Espagne, de l'Angleterre, de la Suède, de la Prusse ou des Etats héréditaires de l'Empereur, trouverions-nous mauvais que les princes qui gouvernent ces pays, confondant leurs droits avec les vœux du peuple, cherchassent à les réunir à leurs autres domaines? Non, sans doute; eh bien! croyons, sans chercher à nous faire des monstres pour les combattre, que la raison n'est pas encore totalement bannie des cabinets de l'Europe; et que si les puissances étrangères veulent nous attaquer, ce ne sera pas pour le futile prétexte de la réunion d'Avignon. D'ailleurs, je maintiens que la réunion nous met en meilleure position. Car, comme je l'ai dit, en supposant la guerre, nous aurons de moins à combattre des ennemis inté-

cumstances much more favorable to war; did they profit by them? No. First, because they know our energy and our indestructible love of liberty.

. . . . .

Every foreigner is as familiar as ourselves with our rights over these countries; they knew very well that under the actual conditions Avignon and the Comtat can not exist without being incorporated with France; they know that our power will not be increased thereby, and, that at the most, this union will only serve to diminish a few commercial inconveniences. No one has ever been ignorant of the fact that sooner or later Avignon and the Comtat would have to come once more under our control. If Avignon and the Comtat existed in the midst of Spain, England, Sweden, Prussia, or the hereditary estates of the Emperor, would we consider it wrong if the princes governing these countries, blending their rights with the votes of the people, should seek to unite them to their other dominions? Undoubtedly no. Very well, then let us believe, without trying to make for ourselves monsters to be fought, that common sense has not yet been entirely banished from the cabinets of Europe and that, if the foreign Powers wish to attack us, it will not be for the futile pretext of the union of Avignon. Besides, I maintain, that the union places us in a better position; for, as I have already said, rieurs, beaucoup plus dangereux que les extérieurs.

*Est-il de l'intérêt des deux Etats d'être réunis à la France?*

J'en appelle: 1⁰ à leurs délibérations; 2⁰ à l'état affreux où nous les réduisons, si la réunion n'a pas lieu.

. . . . .

J'ai prouvé que ce vœu avait été émis avec toute la liberté et la solennité qui en assurent la légalité;

Que la majorité des communes et des individus avait voté pour se réunir à la France;

Que l'intérêt bien entendu de la nation française était d'accepter cette réunion;

Que la crainte que cette réunion ne servît de prétexte aux puissances étrangères pour nous attaquer, était vaine, illusoire et indigne de l'Assemblée nationale;

Que l'intérêt des Avignonais et des Comtadins était que cette réunion s'opérât;

Que la mesure du séquestre était injuste et dangereuse pour la France;

Que l'humanité et l'honneur national exigeaient qu'on ne rejetât pas le vœu des Avignonais et des Comtadins;

Qu'enfin le refus de ce vœu replongerait ces deux peuples dans toutes les horreurs de la guerre civile et de l'anarchie;

supposing we were to have war, we would not have to fight domestic enemies, who are much more dangerous than those outside.

*Is it to the interest of the two states to be united to France?*

I call attention, first, to their deliberations; second, to the frightful condition to which we will reduce them, if the union does not take place. . . .

I have proven that this vote was cast with all the liberty and solemnity which insure its legality;

That the majority of the communes and of the individuals voted to be united to France;

That it is clearly to the interest of the French nation to accept this union;

That the fear that this union would serve as pretext to the foreign Powers to attack us, is vain, illusory and unworthy of the National Assembly;

That it is to the interest of Avignon and the Comtat that this union should be accomplished;

That the measure of sequestration was unjust and dangerous for France;

That humanity and national honor demand that the vote of Avignon and the Comtat should not be rejected;

And lastly that the refusal of this vote would again plunge these two peoples into all the horrors of civil war and anarchy.

Vos comités, déterminés par toutes ces considérations, ont été d'avis d'accepter la réunion; et c'est en leur nom que j'ai l'honneur de vous proposer le décret suivant :[1]

. . . . . .

Your committees, decided by all these considerations, are of the opinion that the union should be accepted, and it is in their name that I have the honor to propose to you the following decree.

. . . . .

## *Formal Charges Brought Against the Mediators by Abbé Maury, before the National Assembly, and Replies of the Mediators. September* 13, 1791[2]

M. L'ABBÉ MAURY. . . . Messieurs, voici une accusation dont je vais donner lecture à l'Assemblée; elle est écrite et signée de ma main. Je la déposerai ensuite dans le bureau, espérant de la justice de l'Assemblée qu'elle sera assez frappée de l'importance de cette accusation pour sentir toute la nécessité de punir les médiateurs, s'ils sont coupables, ou la nécessité non moins sacrée de les justifier s'ils sont innocents.

Voici, Messieurs, mon acte d'accusation :

" L'Assemblée nationale s'étant réservé les fonctions de grand juré pour décider s'il y a lieu à accusation contre les agents du gouvernement, je lui dénonce MM. Le Scène des Maisons, Verninac Saint-Maur et Mulot, commissaires médiateurs chargés de rétablir le bon ordre et la tranquillité dans Avignon et le Comtat. Je demande à être autorisé à les poursuivre devant le tribunal provisoire de la haute cour nationale séant à Orléans, comme s'étant rendus coupables de la

M. L'ABBÉ MAURY. . . . Gentlemen, here is an accusation which I will read to the Assembly; it is written and signed by my hand. I will then deposit it on the *bureau,* hoping that the justice of the Assembly will be sufficiently struck with the importance of this accusation to feel the absolute necessity of punishing the mediators, if they are guilty, or the necessity no less sacred of justifying them, if they are innocent.

Here, Gentlemen, is my accusation :

" The National Assembly having reserved to itself the functions of a grand jury to decide if there is cause for accusation against agents of the Government, I wish to denounce to it MM. Le Scène des Maisons, Verninac Saint-Maur and Mulot, Commissioners of Mediation, charged with the reestablishment of good order and quiet in Avignon and the Comtat. I ask to be authorized to prosecute them before the provisional tribunal of the High Na-

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[1] See the Decree of Union, p. 94; the texts are identical.

[2] *Arch. parl.,* 1st series, vol. 30, p. 611.

partialité la plus révoltante, des abus d'autorité les plus iniques, de la protection la plus scandaleuse donnée aux brigands; enfin, comme ayant contrarié le but de leur mission, sans avoir jamais voulu en remplir le véritable objet.

“ En conséquence, je les accuse, sur ma responsabilité, d'avoir vécu, dès leur arrivée à Orange, dans la plus grande intimité avec les chefs des brigands de Vaucluse; de les avoir fait figurer, avec les parties contractantes, comme chefs de l'armée de Vaucluse, comme parties contractantes avec les communes d'Avignon et de Carpentras; d'en avoir fait leurs conseillers et leurs convives. Je les accuse de n'avoir désarmé que les seuls citoyens du Comtat, après une proclamation qui enjoignait aux deux partis de poser les armes; d'avoir laissé entrer l'armée des brigands à Avignon, où elle a commis toutes sortes de crimes, où ils dominent en souverains et où ils se sont emparés récemment du palais et de l'arsenal; d'avoir répondu aux citoyens qui se plaignaient de cette partialité, que les armes étaient bien placées entre les mains de ces gens-là et non dans les siennes, dirent-ils au sieur Vincé, procureur de la commune d'Avignon, et d'avoir ordonné formellement que les brigands seraient armés.

“Je les accuse d'avoir placé, d'abord

tional Court sitting at Orléans, as having been guilty of the most revolting partiality, of the most iniquitous abuse of authority, of most scandalous protection given to brigands: finally, of having acted contrary to the object of their mission, without ever having desired to accomplish its real object.

“ In consequence, I accuse them, on my responsibility, of having lived, from the moment of their arrival at Orange, in the greatest intimacy with the chiefs of the brigands of Vaucluse; of having made them figure, with the contracting parties, as chiefs of the army of Vaucluse, as contracting parties with the communes of Avignon and of Carpentras; of having made them their councillors and guests. I accuse them of disarming only the citizens of the Comtat, after a proclamation which enjoined on both parties to lay down their arms; of having permitted the army of the brigands to enter Avignon, where they committed all sorts of crimes, where they rule as sovereigns and where they have recently taken possession of the palace and of the arsenal; of having replied to the citizens who complained of this partiality that the arms were better placed in the hands of those people than in their own, as they remarked to the Sieur Vincé, Procurator of the Commune of Avignon; and of having formally ordered the arming of the brigands.

“ I accuse them of having placed,

sans autorité, des garnisons de troupes de ligne dans la commune du Comtat, et d'avoir ensuite renvoyé ces troupes de ligne qui refusaient de seconder leur despotisme pour y substituer des gardes nationales de France dans le moment de la révolte; d'avoir tiré ces gardes nationales des villes de Nimes et de Marseille, de les avoir envoyées dans les communes les plus paisibles du Comtat où rien ne sollicitait leur assistance, et spécialement dans les communes qui avaient manifesté leur fidélité au pays, quoique ces communes ne cessaient de demander aux commissaires l'éloignement de troupes inutiles et souvent très onéreuses aux communautés; d'avoir ordonné sans aucune autorisation aux districts voisins de payer les soldes de ces gardes nationales qu'ils employaient sans nécessité, et d'avoir mérité par là les arrêtés de défense des départements du Gard et des Bouches-au-Rhône qui ont appelé leurs détachements et qui ont dénoncé lesdits médiateurs à l'Assemblée nationale et au ministre de l'intérieur, en les accusant formellement de servir la mésintelligence entre les corps administratifs, en demandant à l'Assemblée nationale qu'elle mît un frein à l'abus de leur autorité; enfin en remerciant les directoires de districts de s'être tenus en garde contre leurs insinuations. Je les accuse d'avoir refusé, sur la demande expresse de la municipalité d'Avignon, de faire désarmer les brigands, de les avoir fait entrer au contraire en triomphe dans cette ville, tambour bat-

at first without authority, garrisons of troops of the line in the commune of the Comtat, and of having later dismissed these troops of the line, who refused to second their despotism, in order to substitute National Guards of France at the time of the revolt; of having drawn these National Guards from the cities of Nimes and Marseilles; of having sent them to the most peaceful communes of the Comtat, where their assistance was not needed, and especially to the communes which had manifested their loyalty to the country, although these communes incessantly requested the commissioners to remove these troops, who were useless and often very burdensome to the communities; of having ordered, without authority, that the neighboring districts should pay these National Guards, whom they were employing without necessity, and of having deserved thereby the resolutions of condemnation of the Departments of the Gard and of the Bouches-au-Rhône which called in their detachments and denounced the said mediators to the National Assembly and to the Minister of the Interior, by formally accusing them of having created misunderstanding between the administrative bodies, and by demanding that the National Assembly put a curb on the abuse of their authority; finally by thanking the directories of the district for having been on guard against their insinuations. I accuse them of having refused the express request of the

tant, mèche allumée, portant en forme de cocarde une carte sur laquelle on lisait ces mots imprimés: 'Braves brigands de l'armée du département de Vaucluse,' et de les avoir complimentés aux portes de la ville en présence des troupes de ligne; d'avoir écrit une lettre imprimée dans laquelle ils mandent á l'officier général qui commande en Provence que ces brigands méritent estime et considération, d'avoir fait rendre aux brigands, dans la ville de l'Isle, les armes qu'on leur avait ôtées.

"Je les accuse d'avoir présidé (le sieur Verninac-Saint-Maur) au club d'Avignon, le jour qu'on fît la motion et qu'on y décida formellement d'anéantir les procédures criminelles instruites à Avignon contre les chefs de brigands, de forcer la municipalité à les reconnaître pour bons patriotes et de protéger spécialement l'un d'eux, le sieur Touréal. Le meme sieur Verninac-Saint-Maur, oubliant son caractère de médiateur, a été président de la Société des amis de la Constitution d'Avignon; il a écrit, en cette qualité, des lettres dans lesquelles il fait l'éloge des brigands, en assurant que personne n'ose les accuser, tandis que la procédure instruite contre eux a été anéantie et qu'ils se sont vengés des officiers municipaux d'Avignon, leurs dénonciateurs, en les renfermant

Municipality of Avignon to disarm the brigands; of having caused these, on the contrary, to enter the city in triumph, drums beating, torches lighted and wearing in the form of a cockade a card, on which could be read these printed words: 'Brave brigands of the army of the department of Vaucluse;' and of having complimented them at the gates of the city, in the presence of the troops of the line; of having written a printed letter, in which they informed the general officer commanding in Provence that these brigands deserved esteem and consideration; of having caused to be returned to the brigands the arms which had been taken from them, in the City of Isle.

"I accuse them of having presided (the Sieur Verninac Saint-Maur) at the Club of Avignon, on the day that the motion was made and it was formally decided to annul the criminal procedures instituted in Avignon against the brigand chiefs, and to force the Municipality to recognize them as good patriots and to especially protect one of them, Sieur Touréal. The same Sieur Verninac Saint-Maur, forgetting his character of mediator, was president of a Society of the Friends of the Constitution of Avignon; in this capacity he wrote letters, in which he praised the brigands, giving assurance that no one dare accuse them, the proceedings instituted against them having been annulled, and stating that they had avenged themselves against the municipal offi-

dans un cachot, où ils sont encore aujourd'hui à la merci des brigands.

" Je les accuse d'avoir dit publiquement à Villeneuve, aux émigrants d'Avignon, qu'ils ne leur promettaient sûreté dans la ville d'Avignon qu'á condition qu'ils ne voteraient point pour le pape; de s'être opposé à la confection d'un procès-verbal qui devait constater les violences des brigands pour forcer les Avignonais de voter pour leur réunion à la France.

" Je les accuse d'avoir parcouru tout le Comtat sans aucune mission, sans aucun ordre de l'Assemblée nationale, ni du roi, pour solliciter le vœu de réunion à la France; d'avoir changé, de leur seul autorité, le jour fixé pour les assemblées primaires, lorsqu'ils ne trouvaient pas les esprits disposés à seconder leurs vues; d'avoir annoncé aux habitants les plus affreux désordres, s'ils refusaient de s'incorporer á l'empire français; de leur avoir exposé les maximes les plus séditieuses; d'avoir appelé publiquement le pape un despote (*Rires*) dans un pays où l'on bénit depuis plus de 6 ans la douceur de son gouvernement paternel, et d'avoir ordonné aux communes qui restaient à leur souverain, de retirer des portes de leur cité les armes de France qu'on y avait placées avec honneur, pour intimider les citoyens.

cers of Avignon, their accusers, by shutting them up in a dungeon, where they remain to this day, at the mercy of the brigands.

" I accuse them of having publicly said to the emigrants of Avignon at Villeneuve, that they would promise them safety in the city of Avignon only on condition that they would not vote for the Pope; of having been opposed to the drawing up of an official report which was to prove the violent acts of the brigands, in order to force the people of Avignon to vote for union with France.

" I accuse them of having traversed the whole of the Comtat without any mission whatever, with no order of any kind from the National Assembly nor from the King, in order to solicit the vote for union with France; of having changed, on their own authority, the day fixed for the primary assemblies, when they did not find the people disposed to second their views; of having threatened the inhabitants with the most frightful disorders, if they refused to be incorporated in the French Empire; of having placed beform them most seditious maxims; of having publicly called the Pope a despot (*laughter*) in a country, where for more than six years they have blessed the sweetness of his paternal government, and of having ordered the communes who were still left to their sovereign to remove from the gates of their city the arms of France which they had placed there in honor, so as to intimidate the citizens.

" Je les accuse d'avoir fait entrer dans la municipalité d'Avignon, les chefs des brigands qui demandaient, à main armée, une solde de 40 sous par jour ou une gratification, et d'avoir fait emprisonner, de leur autorité privée, des citoyens avignonais sans aucune autorité que leur volonté suprême; d'avoir réintégré le sieur Raphel, juge d'Avignon, révoqué par les sections de ses fonctions depuis qu'il s'était mis à la suite de l'armée des brigands pour y juger, disait-il, les crimes de lèse-nation; d'avoir rendu une proclamation pour ordonner aux officiers ministériels de reconnaître le sieur Raphel pour juge et pour déclarer, en véritables souverains, que ses jugements et leur exécution seraient protégés par toute la force publique; je les accuse d'y avoir reconnu, sans raison, la souveraineté de l'assemblée électorale et de lui avoir adressé un discours qui légitime toutes les vexations dont les habitants du Comtat sont les victimes.

" La première motion de cette assemblée, haranguée par le sieur Verninac-Saint-Maur, eut pour objet la nomination de M. Le Victorin Mulot, médiateur, à l'évêché du département. Cette séance se termina par une rixe qui s'éleva entre les électeurs; M. Mulot ne fut point élu pour occuper un siège qui n'était point vacant, et l'assemblée électorale vient de rendre un arrêté contre lui en le dénonçant á l'Assemblée nationale; il est sorti

" I accuse them of having caused the entry into the municipality of Avignon of the brigand chiefs, who demanded, arms in hand, pay of forty sous per day or a gratuity; and of having, on their private authority, imprisoned some citizens of Avignon, without any other authority than their own supreme will; of having reinstated the Sieur Raphel, Judge of Avignon, recalled by the sections after he had placed himself among the followers of the army of the brigands, to judge, as he said, the crimes of high treason; of having issued a proclamation ordering the ministerial officers to recognize the Sieur Raphel as judge and declaring, as veritable sovereigns, that his judgments and their execution would be protected by all the public force. I accuse them of having recognized therein, without reason, the sovereignty of the Electoral Assembly and of having addressed a discourse to it justifying all the annoyances of which the inhabitants of the Comtat have been victims.

" The first motion of this assembly, addressed by the Sieur Verninac Saint-Maur, had for object the nomination of M. Le Victorin Mulot, mediator, to the bishopric of the department. This session ended in an altercation, which arose between the electors; M. Mulot was not elected to occupy a see which was not vacant, and the Electoral Assembly have rendered a decision against him, while denouncing him to the National As-du Comtat pour se réfugier en France, dans la ville de Courtaison.

"Je les accuse d'avoir été spectateurs tranquilles des plus grandes désordres, de l'anarchie, des assassinats continuels, et d'avoir fait des orgies continuelles avec les chefs des brigands qui se sont rendus maîtres de la ville d'Avignon en leur présence, sans qu'ils se soient opposés à cette invasion, ni aux vexations inouies qui en ont été la suite, les faits, que je m'engage à prouver légalement, annoncent une collusion et une complicité qu'il est de l'honneur de la justice de la France de punir exemplairement.

"J'accuse les médiateurs de tous ces délits.

"Je les accuse de tous les désastres actuels du Comtat qu'ils auraient pu prévenir.

"Je les accuse enfin de n'avoir pas voulu remplir leur mission, d'avoir fait le contraire de ce que l'Assemblée nationale leur avait ordonné, et je me réserve d'articuler contre eux plusieurs autres accusations majeures lorsqu'il me sera permis de les traduire au tribunal de la haute cour nationale, me soumettant à toute réparation civile et tous dépens, dommages et intérêts. (*Rires et murmures.*) . . .

"Et a tous dépens, dommages et intérêts, si je ne justifie pas devant les ministres de la loi des faits que je dénonce et de ceux que je me réserve de dénoncer à la justice pour prouver

sembly; he left the Comtat in order to take refuge in France, in the city of Courtaison.

"I accuse them of having been quiet spectators of the greatest disorders, of anarchy, of continual assassinations, and of having had continual orgies with the brigand chiefs, who, in their presence, made themselves masters of the City of Avignon, without any opposition on their part to this invasion, or to the untold annoyances which followed. The facts, which I undertake to prove legally, proclaim a collusion and a complicity which the honour and justice of France demand shall be exemplarily punished.

"I accuse the Mediators of all these misdemeanours.

"I accuse them of all the present disasters in the Comtat, which they could have prevented.

"I accuse them, finally, of not having wished to fulfill their mission, of having done the contrary of that which the National Assembly had ordered, and I reserve to myself the right to formulate against them several other major accusations, when I am permitted to indict them before the tribunal of the High National Court, taking upon myself all compensations, and all expenses, damages and interest. (*Laughter and murmurs.*) . . .

"And to all expenses, damages and interest, if I do not justify before the ministers of justice the facts which I denounce and those which I reserve to denounce to justice, to

que les médiateurs n'on pas été les agents de la France, mais qu'ils se sont conduits comme les agents d'une armée de brigands et d'une assemblée d'administrateurs intrus sur lesquels ils n'avaient aucun pouvoir, après avoir favorisé jusqu'au scandale leurs entreprises et leurs attentats.

" A Paris, le 13 septembre 1791."

Et j'ai signé.

. . . . .

En mettant cet acte d'accusation sur le bureau, je demande maintenant á l'Assemblée, et je la supplie de vouloir bien accueillir, par un décret, ce que j'ai l'honneur de lui demander sur ma responsabilité. (*Exclamations à gauche.*)

Je vous prie de considérer que l'accusation que vous venez d'entendre est appuyée sur les titres les plus imposants et les plus respectables, sur les dénonciations des départements, sur des lettres écrites de la main des commissaires eux-mêmes; enfin, sur des preuves par écrit de tous les faits que j'ai annoncés, sur des faits de notoriété publique. Je consens à ce que les médiateurs prennent la parole, et je les somme de répondre, article par article, et par des faits, à mes chefs d'accusation; tout le reste ne serait que de vaines déclamations; il ne faut qu'il viennent me produire des lettres mendiées ou écrites par des habitants du Comtat.

*Un membre:* Quelles sont les votres?

M. L'ABBÉ MAURY. D'après ces faits, vous voyez que le rapport

prove that the Mediators were not agents of France, but that they conducted themselves as agents of an army of brigands and of an assembly of intrusive administrators, over which they had no power, but whom they favoured to the extent of scandal in all their enterprises and undertakings.

" Paris, September 13, 1791."

And I have signed this.

. . . . .

In placing this accusation on the table, I now ask the Assembly, and I beg them to receive with a decree, that which I have the honour of asking on my own responsibility. (*Exclamations on the Left.*)

I beg you to consider that the accusation to which you have just listened, is based on claims the most imposing and the most respectable, on the denunciations of the departments, on letters written by the hand of the commissioners themselves; finally, on the written proofs of all the facts I have stated, on facts of public notoriety. I am willing that the Mediators should speak for themselves and I summon them to answer, article by article, and by facts, my accusations; anything else would be merely vain declamations; they must not produce letters begged for or written by inhabitants of the Comtat.

*A member.* Which are yours?

M. L'ABBE MAURY. According to these facts, you can see that the Avigd'Avignon, fondé sur des procès-verbaux qui sont l'ouvrage de ces médiateurs, ne peut plus être discuté. (*Rires et murmures.*) J'ose dire à l'Assemblée que je ne redoute point cette discussion, et que j'espère de trouver dans les actes mêmes qu'on nous présente comme la preuve du vœu de la réunion, les moyens d'en prouver la nullité.

. . . . .

### *Reply of Le Scène des Maisons*

Chargés des pouvoirs de l'Assemblée nationale, honorés de la confiance du pouvoir exécutif, nous n'avons eu d'autres instructions que vos propres lois; c'est là que nous avons appris nos devoirs.

Arrivés à Orange, nous avons fait ce que le devoir nous dictait. Nous voyions devant nous un pays, qui, depuis 6 mois, était le théâtre de toutes les horreurs de la guerre civile; nous nous sommes arrêtés à Orange, et, j'ai déjà eu l'honneur de le dire à l'Assemblée, nous nous y sommes arrêtés parce qu'il était important de voir les chefs de tous les corps armés, toutes les autorités alors reconnues, et qu'il fallait établir la paix pour remplir vos volontés.

M. l'abbé Maury nous a reproché d'avoir admis à ces conférences les députés de l'assemblée représentative du pays, munis de 68 procès-verbaux qui les avaient établis. Cette assemblée avait à ses ordres l'armée dite de Vaucluse, qui était un des partis principaux entre tous les partis intéressés.

non statement, founded on official reports which are the work of these mediators, can no longer be discussed. (*Laughter and murmurs.*) I dare to say to the Assembly that I do not fear this discussion, and I hope to find in the very acts, which are presented to us as proof of the vote of Union, the means of proving its nullity.

. . . . .

Charged with the powers of the National Assembly, honoured with the confidence of the executive power, we had no other instructions than your own laws; it is there that we learned our duties.

Arrived at Orange, we did what duty dictated. We saw before us a country, which, for six months, had been the theatre of all the horrors of a civil war; we stopped at Orange, and I have already had the honor of stating to the Assembly that we stopped there because it was important for us to see the chiefs of all the army corps, of all the then recognized authorities, and because it was necessary to establish peace in order to accomplish your wishes.

M. l'Abbé Maury has reproached us for having admitted to these conferences deputies from the representative assembly of the country, armed with sixty-eight formal minutes by which they had been accredited. This assembly had under its orders the so-called army of Vau-

Avec qui devions-nous donc traiter pour exécuter vos lois; si nous n'appelions pas les corps reconnus auxquels l'armée obéissait? Il ne nous appartenait pas d'entrer dans toutes les injures, dans toutes les oppositions des divers partis; il ne nous appartenait pas, comme à M. Maury, de traiter ces gens de brigands. Nous allions mettre la paix parmi eux. Notre devoir était de les entendre et de les admettre au traité puisque d'eux en partie dépendait cette paix que vous nous aviez chargé d'établir. (*Applaudissements à gauche.*) . . .

Le 14 juillet, nous signâmes le pacte en vertu duquel chaque parti prenait l'engagement de mettre bas les armes et de remplir votre loi de licenciement. — Licencier une armée n'est pas désarmer un pays. Votre loi nous ordonnait de licencier deux armées qui se battaient, qui répandaient le trouble dans leur pays. Nous appartenait-il d'interpréter vos lois? Non. Notre devoir était de les exécuter. Nous licenciâmes les armées, mais nous n'otâmes pas les armes des individus qui, retournant paisiblement dans leurs communes, dans leurs familles, en avaient encore besoin dans les premiers moments d'agitation; et l'histoire de Caromb ne vous l'a que trop prouvé.

M. l'abbé Maury vous a dit, Messieurs, que, si nous n'étions pas arrivés, si nous avions retardé quelques jours, la paix se serait rétablie dans le Comtat. Quelle était ce pays? C'était le pays de la mort, la paix des

cluse, which was one of the principal parties among all the interested factions. With whom could we treat in order to execute your orders, if we did not summon the recognized bodies which the army obeyed? It was not our place to enter into all the wrongs, into all the disputes of the different parties; it was not our place, like M. Maury, to treat these people as brigands. We were to bring them peace. Our duty was to hear them, to admit them to treaty, because on them partly depended that peace which you had charged us to establish. (*Applause on the Left.*) . . .

On July 14 we signed the pact by virtue of which each party agreed to lay down their arms and to carry out your order to disband. Disbanding an army is not disarming a country. Your order directed us to disband two fighting armies, which were spreading trouble in their country. Was it our business to interpret your orders? No. Our duty was to carry them out. We disbanded the armies, but we did not take away the arms of individuals, who, returning peacefully to their communes, to their families, still needed them in these first moments of agitation, which the history of Caromb has amply proved to you.

M. l'Abbé Maury has told you, gentlemen, that had we not arrived, had we delayed for a few days, peace would have been established in the Comtat. What was this country? It was the country of death, the peace

tombeaux; c'étaient 12,000 hommes qui en auraient égorgé 3,000 renfermés dans la ville de Carpentras; qui, de là, promenaient la destruction et la mort dans la ville d'Avignon. Voilà la paix de M. l'Abbé Maury. (*Vifs applaudissements à gauche.*)

. . . . .

Vous vous rappelez, sans doute, la malheureuse histoire de Caromb.[1] . . . Nous avons désarmé les auteurs de ces crimes: nous leur avons ôté leurs armes, comme on arrache les dents aux bêtes féroces et comme on devrait arracher la langue aux calomniateurs. (*Vifs applaudissements à gauche.*)

Je le demande à l'Assemblée: Si nous avions désarmé ce pays, si, contre les pouvoirs qui nous étaient confiés par notre mission, nous avions arraché les armes à toutes les communes, à toutes les gardes nationales, que ne dirait pas alors M. l'abbé Maury? C'est alors qu'il aurait pu nous dire: vous avez violé les lois, vous avez même abusé de votre pouvoir. Vous apportez des vœux á l'Assemblée nationale, et quels sont ces vœux? Quelle valeur ont-ils, lorsque vous avez commencé par arracher les armes aux habitants du Comtat, et que, dans la crainte, ils ont été forcés en votre présence, de faire ce que vous avez ordonné. Alors il y aurait lieu de nous inculper. Mais, lorsque nous avons été obéi à l'esprit de la loi, je crois que la seule chose que M. l'abbé Maury regrette, c'est que nous n'eussions pas fait la chose même dont il nous accuse. (*Applaudissements à gauche.*) . . .

of the tomb; it was 12,000 men who would have strangled 3,000 shut up in the city of Carpentras; who from there would have carried death and destruction to the city of Avignon. That is the peace of M. l'Abbé Maury. (*Lively applause on the Left.*)

. . . . .

You no doubt remember the unhappy history of Caromb. . . . We have disarmed the authors of these crimes; we have taken away their arms, as one pulls the teeth of savage beasts and as one should tear out the tongue of calumniators. (*Lively applause from the Left.*)

I ask the Assembly, if we had disarmed this country, if, contrary to the powers confided to us by our mission, we had seized the arms of all the communes of all the National Guards, what would M. l'Abbé Maury have said then? He could then have said: you have violated the laws, you have even abused your power. You have brought votes to the National Assembly, but what are these votes? Of what value are they, when you began by seizing the arms of the inhabitants of the Comtat, who then, in fear, were forced in your presence to do what you had ordered. There would then have been reason to accuse us. But, as we were obeyed in the spirit of the law, I believe that the only regret of M. l'Abbé Maury, is that we did not do the very thing of which he accuses us. (*Applause from the Left.*)

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[1] See the Report of Le Scène des Maisons, p. 46.

Des crimes et des vengeances prémédités se commettaient partout. C'est pour en empêcher l'effet que nous volâmes dans toutes les communes du Comtat; que nous allâmes à Piolène, où déjà une maison, renfermant plusieurs citoyens, était assiégée par cinq ou six cents hommes; que nous allâmes à l'Isle, où la même chose arrivait et où déjà l'on se fusillait par les fenêtres. C'est pour cela que nous fûmes obligés de demander les forces que M. l'abbé Maury nous reproche d'avoir appelées.

D'après l'expérience des crimes commis, pour éviter ceux qui se préparaient encore, nous fûmes obligés d'appeler les gardes nationales, comme la loi nous y obligeait. La loi du 14 juillet, qui portait la garantie de la France pour la sûreté des personnes et des propriétés, nous autorisait à appeler les gardes nationales, nous les appelâmes parce que les troupes de ligne étaient en trop petit nombre dans les départements voisins, parce que les commandants de ces corps nous répondaient qu'ils ne pouvaient nous en fournir, et à cet instant même, le régiment ci-devant de la Fère, que nous eussions pu en partie requérir, avait reçu du ministre l'ordre de partir pour la Corse. Nous étions donc forcés d'appeler les gardes nationales; et, Messieurs, en appelant des gardes nationales françaises, devions-nous nous attendre que l'on nous en ferait un crime dans l'Assemblée? Qui devions-nous croire, qui établirait mieux la paix parmi les habitants du

Crimes and premeditated vengeance were committed everywhere. It was to destroy their effect that we hurried to all the communes of the Comtat; that we went to Piolène, where one house, in which several citizens had shut themselves up, was being besieged by five or six hundred men; that we went to Isle, where the same thing was happening and where they were shooting each other from the windows. It was on this account that we were obliged to ask for troops, which M. l'Abbé Maury reproaches us for having called for.

Having had experience of the crimes committed, and in order to prevent those in contemplation, we were obliged to call the National Guards, as the law required. The law of July 14, which carried with it the guarantee of France for the safety of persons and properties, authorized us to call the National Guards; we called them because the troops of the line were too few in number in the neighboring departments, because the commanding officers of these troops replied to us that they could not furnish us men, and because at this very time the former la Fère regiment, a part of which we might have been able to requisition, had received orders from the minister to leave for Corsica. We were therefore forced to call the National Guards; and, gentlemen, were we to expect that our calling the National Guards would be called a crime in the National Assembly? Were we not to think that a citizen guard would be most certain to estab-

Comtat, si ce n'est une garde citoyenne? Qui devions-nous croire, qui se prêterait plutôt aux vœux de pacification, à tous les moyens de conciliation que nous voulions employer? Devions-nous attendre que M. l'abbé Maury nous reprochât comme un crime d'avoir appelé les gardes nationales?

J'entends dire auprès de moi que c'est un crime, si c'est sans nécessité. Je répondrai que l'insurrection partielle d'Avignon, qui n'avait rien de commun avec le Comtat, n'a eu lieu que parce qu'il n'y avait pas de garnison, parce que nous étions sans force, parce qu'alors beaucoup de gens qui avaient des intérêts particuliers à discuter avec les corps administratifs qui commandaient dans Avignon, des gens qui ne voyaient pas dans nos mains les moyens de les tenir à l'ordre, s'abandonnèrent à cette effervescence dont Toulon donnait alors un exemple.

Et qu'on ne croie pas que le nombre de ces gardes nationales fut très grand! Il n'y a jamais eu dans le Comtat et dans l'état d'Avignon, dans 80 et quelques communes dont la plupart sont des grandes villes, il n'y a jamais eu plus de 1,600 hommes tirés de 3 départements différents. Ainsi l'Assemblée verra que nous avons été très à l'épargne pour appeler des gardes nationales, que leur appel a été le fruit d'un travail et d'un calcul réfléchi qui plaçait un corps de 100 à 150 hommes, de manière à protéger 5, 6, 7 et même 8 communes. Nous avons

lish peace among the inhabitants of the Comtat? Were we not to believe that they would lend themselves more readily to the desire for pacification and to all the means of conciliation which we would wish to employ? Were we to expect that M. l'Abbé Maury would reproach us for having committed a crime in calling the National Guards?

I hear it said near me that it is a crime if unnecessary. I will reply that the partial insurrection of Avignon, which had nothing in common with the Comtat, took place only because there was no garrison, because we were without forces, and because a great many people who had particular interests to discuss with the administrative body which commanded in Avignon, seeing in our hands no means of keeping them in order, abandoned themselves to that exuberance of which Toulon was then giving the example.

And do not think that the number of these National Guards was very great. There never were more than 1600 men, drawn from three different departments, in the Comtat and in the state of Avignon: eighty odd communes, most of which are large cities. Therefore the Assembly will see that we were very sparing in our call for National Guards; that their summons was the result of labor and a thought-out calculation, which placed a body of one hundred to one hundred and fifty men in such a manner as to protect five, six, seven, and even eight

donc été très à l'épargne, et nous n'avons appelé que ce qu'une nécessité indispensable nous prescrivait d'appeler. Et quand les avons-nous appelées? A l'instant où les crimes que je vous ai annoncés nous donnaient la plus vive inquiétude, où les débris de cette armée qui, selon l'abbé Maury, devait ramener la paix, où les débris de cette armée qu'on nous accuse d'avoir forcée à mettre bas les armes, s'étaient répartis dans plusieurs communes et y avaient comploté l'assassinat de leurs frères et de leurs concitoyens. Au moyen de l'emploi des gardes nationales, la paix s'est rétablie dans le Comtat.

. . . Je prouverai à M. l'abbé Maury lui-même, qui sa patrie de Valréas, où il vous a dit que 150 gardes nationaux avaient été envoyés sans qu'on sache pourquoi, avait demandé cette troupe, sur la réquisition des officiers municipaux.

. . . . .

Avant que j'abandonne la question relative aux gardes nationales il est important que je vous mette sous les yeux jusqu'à quel degré, la calomnie peut empoisonner une bonne action. On vous a dit, je suis fâché de le répéter, que M. l'abbé Mulot a emprunté 3,600 livres à Avignon. Vous connaissez, Messieurs, la lenteur avec laquelle on paye les gardes nationales employés dans le Comtat; ils ne reçoivent point d'argent, ils nous en demandaient; mais la loi qui nous avait donné le moyen d'appeler les gardes

communes. We were therefore very sparing and we called only those which an immediate necessity obliged us to call. And when did we call them? At the moment when the crimes I have spoken of were causing us the greatest anxiety, when the remnants of the army, which, according to l'Abbé Maury was to establish peace, when the remnants of this army, which we were accused of having forced to lay down their arms, had separated and gone into several communes, where they plotted the murder of their brothers and fellow citizens. By means of the use of the National Guards peace was reestablished in the Comtat.

. . . I will prove to M. l'Abbé Maury himself, that his home town of Valréas, to which, according to his statement to you, one hundred and fifty National Guards had been sent with no apparent reason, had asked for these troops on the requisition of the municipal officers.

. . . . .

Before leaving the subject of the National Guards it is important that I should call to your attention to what degree calumny can poison a good action. You have been told, I regret to be obliged to repeat it, that M. l'Abbé Mulot borrowed 3,600 livres from Avignon. You are aware, Gentlemen, of the slowness with which the National Guards employed in the Comtat are paid. They had received no money and asked us for some; but the law which permitted us to call the National Guards, did not give us

nationales, ne nous avait donné aucun moyen pour les payer; nous empruntâmes sur notre propre responsabilité jusqu'à 7,200 livres pour payer les gardes nationales dont les besoins étaient urgents, dont quelques-uns retournaient dans leur pays, et voilà, Messieurs, la chose dont on nous a fait un crime! C'est de notre dévouement; c'est de l'emploi de nos propres moyens pour venir au secours des gardes nationales, qu'on nous fait ici un chef d'accusation.

. . . . .

Les chefs de l'armée, lorsqu'ils eurent ramené les gardes nationales dans Avignon, et les 40 pièces de canon qu'ils en avaient extraites, les chefs de l'armée imaginèrent peut-être, comme l'avait jadis fait la Hollande, dans la Révolution qui donna la liberté à ce pays, qu'en mettant la désignation de braves brigands sur eux-mêmes, ils feraient tomber l'opinion (*Murmures et rires à droite*); comme en Flandre jadis des hommes combattant dans la même disposition, auxquels on avait donné la désignation de gueux, pour faire tomber cette désignation à ceux qui portaient sur leur habit une écuelle. Avertis que les soldats portaient cette désignation, nous nous rendîmes hors de la ville, et nous exigeâmes de l'armée de la faire tomber. Il n'entra personne dans la ville, portant cette désignation; et voilà ce que M. l'abbé Maury appelle aller complimenter l'armée. (*Applaudissements à gauche.*)

La désignation de brigands, j'adopte celle-là parce que la personne

the means of paying them; we borrowed on our own responsibility a sum amounting to 7,200 livres in order to pay the National Guards whose need was urgent, as some of them were returning to their own country; and this, Gentlemen, is what has been constituted a crime on our part! It is of our devotion to duty, it is of our employing our own means in order to come to the assistance of the National Guards, that a cause of accusation has here been made.

. . . . .

The army chiefs, after bringing back the National Guards to Avignon and the forty cannon which they had taken away, imagined perhaps, as Holland did during the revolution which gave that country its liberty, that in calling themselves brave brigands, they would put an end to this opinion, (*murmurs and laughter from the right*) as in Flanders of yore, when men fought for the same ideas, the designation of beggar was given in order to put an end to this name given to those who wore a porringer on their clothes. Notified that the soldiers carried this designation, we went outside of the city, and we demanded that they drop it. No one entered the city wearing this sign; and that is what M. l'Abbé Maury calls complimenting the army. (*Applause on the left.*)

The designation of brigands, I adopt this one because our accuser is qui nous accuse est du parti contraire, la désignation de brigands devenait donc pour nous un devoir, une obligation stricte de chercher, autant qu'il était en nous, à la faire tomber et empêcher ses mauvais effets qui pouvaient perpétuer la guerre civile. Les chefs de l'armée française craignant eux-mêmes que cette opinion ne se prolongeât, nous invitèrent à leur écrire une lettre qui était une sorte de conciliation entre tous les partis.

C'était à cette époque même, où l'on venait de commettre des assassinats, où il restait encore dans Avignon quelques détachements qui n'avaient pas regagnés leur pays : il était donc important de prêcher la paix à Avignon, de prêcher à tous l'abandon de ces désignations de parti ; et cette lettre, dont M. l'abbé Maury vous a cité une phrase comme un chef d'accusation, j'aurai l'honneur de la mettre en original sous les yeux de l'Assemblée. Vous jugerez si l'esprit de la médiation n'était pas conforme à la mission, qui la chargeait d'établir la paix dans le pays, et de prévenir les dissensions civiles. Voici cette lettre :

" La mission dont nous sommes chargés, Monsieur le Général, est tellement hors les mesures ordinaires aux troupes de ligne, que nous avons cru nécessaire de vous faire cette lettre pour être communiquée à MM. les officiers de l'armée, afin que tous concourent au succès de notre négociation. L'Assemblée nationale et le roi ont voulu rétablir la paix dans une

of the opposite party, this designation of brigands made it our duty, a strict obligation on us, to seek, as far as it lay in our power, to have it dropped and to prevent any bad effects which might perpetuate civil war. The French army chiefs themselves, fearing that this feeling of hatred would be prolonged, invited us to write them a letter, which was a sort of conciliation between all parties.

This was at a time when several murders had been committed and when some detachments which had not yet returned to their own country were still in Avignon. It was therefore important to preach peace in Avignon; to preach the abandoning of all these party designations; and this letter, of which M. l'Abbé Maury quoted to you one sentence as cause of accusation, I shall have the honor of placing in its original form before the eyes of the Assembly. You will judge if the spirit of the mediation was not in conformity with the mission, which charged them with the establishment of peace, and the prevention of civil dissensions. This is the letter:

" The mission with which we are charged, General, is so entirely foreign to the measures ordinarily adopted by the troops of the line, that we have thought it necessary to write you this letter to be communicated to the officers of the army, in order that all may cooperate in the success of our negotiations. The National Assembly and the King have wished to

contrée où la nation a laissé ses droits indécis jusqu'au rétablissement de cette paix. Il est donc indispensable, pour obtenir cet effet que les troupes françaises chargés du maintien de l'ordre accordent à tous sûreté des personnes et des propriétés, qu'elles évitent avec scrupule aucun acte qui adopte partialité et prédilection pour aucun parti. On doit protection à ceux qu'on appelle émigrants, mais il faut bien se garder de leur donner à leur retour l'air du triomphe, puisque ceux qui sont assez faibles pour abandonner la chose publique en danger n'ont point le droit de reparaître avec un orgueil insultant parmi les citoyens qui l'ont défendue. Il ne faut pas non plus que ceux qui ont combattu pour leur patrie en abusent pour vexer ceux qui ont droit à la protection de la loi; cependant, il ne faut pas oublier que ceux qui reviennent de l'armée de Monteux sont des citoyens qui ont tout sacrifié à la liberté, et qui méritent l'estime et la considération. (*Exclamations à droite.*)

" On doit surtout éviter les désignations de parti toujours odieuses, mais moins pardonnables encore, quand elles tombent sur ceux qui ont eu le courage de verser leur sang pour maintenir leur liberté. Protection à tous, conduite égale envers tous, et aucune distinction de personnes; telles sont les mesures exigées par la médiation des officiers et soldats français,

establish peace in a country in which the nation has left her rights undetermined until the reestablishment of such peace. It is therefore indispensable, in order to obtain this result, that the French troops charged with the maintenance of order, should grant to all assurance of the safety of person and of property, that they should scrupulously avoid any act which might show partiality or favoritism towards any one party. Protection is due to those who are called emigrants, but care must be taken that their return be not given the semblance of triumph, for those who are weak enough to abandon the public cause in the moment of danger have no right to reappear with insulting pride among the citizens who defended it. It is not right, either, that those who fought for their country should abuse this privilege by molesting those who are entitled to the protection of the law; however, it must not be forgotten that those who return from the army of Monteux are citizens who have sacrificed everything to liberty, and who deserve esteem and consideration. (*Exclamations from the Right.*)

" One should above all avoid party designations, always odious, but less pardonable when applied to those who had the courage to shed their blood in the defence of their liberty. Protection to all, equal treatment to all, without distinction of persons; these are the measures exacted by the mediation of French officers and soldiers, besides those ordered by law,

outre celles que la loi commande et qui sont la responsabilité individuelle de tous les officiers employés dans Avignon et le Comtat. Nous connaissons en général votre patriotisme, et celui des troupes de ligne; nous ne doutons point de l'empressement à remplir nos vues; mais il était de notre devoir de dissiper les troubles répandus par les préjugés des deux partis, et qui pourraient les induire en erreur."

Voilà la lettre qui forma un chef d'accusation! (*Applaudissements à gauche.*)

M. l'abbé Maury nous a reproché la phrase où nous disions que ceux qui s'étaient battus pour leur liberté méritaient estime et considération. Mais quelle était notre position? D'un côté une armée qui avait laissé après elle toutes les traces de la guerre civile; de l'autre côté un parti qui assassinait de la manière la plus atroce ceux qui rentraient dans leurs foyers. Je vous le demande, ne devions-nous pas nous jeter au milieu de ces hommes tous criminels, et leur commander de ne plus employer des désignations qui ne nous promettaient que de nouveaux crimes, de nouveaux assassinats?

Le chef d'accusation qui porte sur l'Assemblée électorale, et son admission au traité de paix, je n'y répondrai pas. La loi du 4 juillet me le défend, car il ne m'est pas permis de commenter vos lois. (*Applaudissements dans les tribunes.*)

. . . . .

M. l'abbé Maury a prétendu que la

and which are the personal responsibility of all the officers employed in Avignon and the Comtat. We are aware in general of your patriotism, and of that of the troops of the line; we do not doubt your eagerness to carry out our views; but it is our duty to dissipate the disturbances spread by the prejudices of both parties, which might have led them into error."

This is the letter which formed a basis of accusation! (*Applause from the Left.*)

M. l'Abbé Maury has reproached us with the sentence in which we said that those who had fought for their liberty deserved esteem and consideration. But what was our position? On one side an army which had left behind it all the marks of civil war; on the other a party which murdered in the most atrocious manner those who returned to their homes. I ask you, was it not our duty to throw ourselves into the midst of these men, all criminal, and to command them to refrain from using designations which could only cause more crimes, fresh murders?

The accusation relative to the Electoral Assembly and its admission to the treaty of peace, I will not answer. The law of July 4 forbids it, for I am not permitted to comment on your laws. (*Applause in the galleries.*)

. . . . .

M. l'Abbé Maury has claimed that

médiation avait autorisé l'Assemblée électorale à lever des impôts; il a prétendu qu'elle avait autorisé cette même assemblée à s'emparer des biens ecclésiastiques. L'Assemblée électorale n'a pas, à ma connaissance, reçu aucune réclamation, pour avoir levé des impôts; elle n'a point, à ma connaissance, séquestré ou fait aucune espèce d'actes envers les biens ecclésiastiques.

. . . . .

Il est bien vrai que l'Assemblée représentative d'un peuple qui avait déclaré son indépendence depuis près d'un an, que cette Assemblée représentative, en vertu des premiers actes de laquelle les peuples avaient cessé de payer les dîmes et s'étaient conformés en tout aux décrets de l'Assemblée nationale, que cette Assemblée, dis-je, avait séquestré beaucoup de biens ecclésiastiques, si ce n'est même la totalité. Je crois que tout était séquestré à l'arrivée de la médiation. . . .

Je vous ai démontré que les allégations au sujet des troubles du Comtat n'étaient point vraies. Je vous prouverai, de la manière la plus convaincante, que les émigrants sont restés dans le Comtat; qu'il y avait à Orange plusieurs familles du Comtat que des terreurs, peut-être exagérés, peut-être réelles, avaient forcé de s'expatrier, je les ai fait rentrer dans le Comtat. Il est un des membres de cette Assemblée, qui tient à ces familles, et qui peut dire qu'elles sont rentrées et demeurent tranquillement, paisiblement dans Malaucène.

the mediation authorized the Electoral Assembly to levy taxes; he has claimed that it authorized this same assembly to seize all ecclesiastical goods. The Electoral Assembly has not, to my knowledge, received any complaint for having levied taxes; it has not, to my knowledge, sequestrated or committed any act to the prejudice of ecclesiastical property.

. . . . .

It is very true that the representative assembly of a people who had declared their independence nearly a year before, that this representative assembly, in virtue of the first acts by which the people had ceased to pay tithes and had conformed in everything to the decrees of the National Assembly, that this assembly, I say, had sequestrated a good deal if not all ecclesiastical property. I believe everything was sequestrated at the time of the arrival of the mediation. . . .

I have demonstrated to you that the allegations concerning the disturbances in the Comtat were not true. I will prove to you, in the most convincing manner, that all the emigrants remained in the Comtat; that there were in Orange several families of the Comtat, whom terrors, perhaps imagined, perhaps real, had forced to expatriate themselves. I made them return to the Comtat. There is a member of this Assembly, who is connected with these families, and who can state that they returned and are living quietly and peacefully at Malaucène.

Il n'est donc pas vrai qu'il y ait des troubles dans le Comtat; il n'est donc pas vrai que les émigrants n'y aient pas joui de la liberté. Il est arrivé précisément le contraire, c'est que les émigrants, rentrés en grande force, ont maltraité, chassé, notamment à Malaucène, ceux que l'on appelait patriotes. C'est au milieu de cette paix que les communes se sont assemblées pour délibérer sur leur sort politique. Déjà ces délibérations avaient eu lieu au 2 février de cette année. On avait mis sous vos yeux l'émission de ces vœux; on avait allégué, comme aujourd'hui, que la liberté n'y n'avait pas présidé, et ces vœux avaient été rejetés. Quel était l'objet principal de tous ceux qui contractaient avec nous à Orange? C'était d'obtenir les moyens de rétablir l'ordre dans leur pays, dans un pays qui avait déclaré son indépendence, qui avait adopté la Constitution française; un pays qui avait déjà mis en vigueur un grand nombre de vos décrets, et surtout l'organisation municipale qui existe dans toutes les villes, même à Valréas.

Ainsi donc, ce peuple n'apercevait de terme à son anarchie, de fin à ses malheurs, que dans la prononciation de la décision de ses droits politiques. Il en était si convaincu que, dans les préliminaires de paix, il exigea qu'un article porterait qu'on s'occuperait du sort politique du pays à l'instant même. Ainsi donc, on s'est occupé, non pas à l'instant même, parce que les troubles de Caromb, parce que les assassinats exigeant qu'on rétablît la tranquillité, que l'on pût voter à l'om-

It is therefore not true that there are disturbances in the Comtat; it is therefore not true that the emigrants were not granted liberty. Precisely the contrary took place, for, the emigrants, returning in great force, maltreated and drove out those who were called patriots, notably at Malaucène. It is in the midst of this peace that the communes assembled to deliberate on their political state. These deliberations had already taken place on February 2 of this year. The votes cast were placed before you; it was alleged, as to-day, that the vote was not free, and the votes were rejected. What was the principle object of all those who were contracting with us at Orange? It was to obtain the means of reestablishing order in their country, in a country which had declared its independence, which had adopted the French constitution; a country which had already put into effect a great number of your decrees, especially the municipal organization which exists in all the cities, even at Valréas.

Therefore, this people could not see any termination to its anarchy, any end to its misfortune, except in the pronouncement of the decision on its political rights. It was so convinced of this, that in the Preliminaries of Peace, it demanded that one article should provide that the consideration of the political fate of the country should be taken up at once. The matter was taken up, but not immediately, because the disturbances at Caromb, and the murders, demand-

bre de la sûreté personnelle, forcèrent l'Assemblée électorale à demander l'émission de ce vœu un peu plus tard. L'émission de ce vœu s'est faite dans la plus grande tranquillité; et en vain on voudrait vous rappeler ici l'insurrection d'Avignon, qui n'a eu lieu que 6 semaines après l'émission de ces vœux.

L'insurrection d'Avignon, il est bon de le répéter, est une insurrection partielle qui est arrivée dans une ville, à raison d'une rivalité entre deux partis qui cherchaient à dominer mutuellement. Cette insurrection n'avait aucun rapport avec le Comtat, n'a pas même effleuré la tranquillité de Morières et des petites communes qui appartiennent à l'Etat d'Avignon et qui l'entourent; cette insurrection n'a eu aucune espèce d'effet sur les vœux qui vous ont été présentés, puisqu'elle était postérieure de 6 semaines à l'émission de ces vœux; cette insurrection ne peut pas être à la charge des médiateurs.

Nous avons, dit M. l'abbé Maury, fait rentrer les brigands dans leurs foyers. Mais je demande à M. l'abbé Maury comment les citoyens ne devaient pas rentrer dans leurs habitations, comment les gardes ne devaient pas retourner chez leurs femmes, ne pouvaient pas retourner dans une ville dont ils sont citoyens, dont ils sont la population? Ils sont entrés dans Avignon, parce qu'Avignon était leur demeure, leur domicile, leur possession. Il était impossible, je crois, à la médiation, de chasser la population

ing that quiet be restored in order to be able to vote under the assurance of personal safety, forced the Electoral Assembly to ask for the casting of this vote a little later. The casting of this vote took place in the greatest quiet; and it is vain to try to remind you here of the insurrection at Avignon, which only took place six weeks after these votes had been cast.

The insurrection of Avignon, it is well to repeat, was a partial insurrection, which took place in a city, and was caused by the rivalry between two parties who mutually sought to dominate. This insurrection had no connection with the Comtat, did not even ruffle the tranquillity of Morières and of the small communes which belong to the State of Avignon and which surround it; this insurrection had no effect whatever on the votes which were presented to you, as it took place six weeks after the casting of these votes. The mediators can not be charged with this insurrection.

According to M. l'Abbé Maury, we made the brigands return to their homes. But I ask M. l'Abbé Maury why should the citizens not return to their habitations, why should the guards not return to their wives, why should they not return to a city of which they were the citizens, of which they formed the population? They entered Avignon because Avignon was their home, their domicile, their possession. It was impossible to the mediation, I think, to drive out the population of Avignon in order to

d'Avignon pour plaire au Haut-Comtat. (*Applaudissements à gauche.*)

On a articulé que, lors de l'émission du vœu d'Avignon, on avait ouvert des tombeaux dans une église. Le fait est absolument faux. Lors de l'émission du vœu d'Avignon, il n'y a eu ni tombeaux ouverts, ni querelles, ni diffamations. La gazette de Villeneuve-lès-Avignon, cette gazette qui est payée par le parti de contre-révolutionnaires qui s'y sont réfugiés, cette gazette qui a fourni à M. Maury la plupart des faits qu'il a articulés, parce qu'en effet ils y sont consignés depuis 3 semaines, cette gazette, dis-je, a transporté, à cette époque, une anecdote qui est arrivée lorsque la garde nationale d'Avignon, 6 semaines auparavant formait son état-major dans une église appelée des Carmes, si je ne me trompe. Une rivalité d'entrée dans l'état-major avait occasioné quelques rixes. On a prétendu que quelqu'un avait remué une tombe; nous en avons été avertis, et à l'instant nous avons fait annuler les délibérations: nous avons dénoncé le fait à la municipalité, et l'assemblée qui avait été tenue a été recommencée; voilà le fait qu'on dénature et que je certifie comme véritable, pour en avoir pris moi-même la connaissance la plus exacte, et je défie M. Maury de dire le contraire.

Je dénie encore de la manière la plus formelle le fait également pris dans la gazette de Villeneuve-lès-Avignon, que, lorsque j'ai été dans cet endroit,

please the Haut-Comtat. (*Applause on the Left.*)

It has been said that at the time of the casting of the vote at Avignon, the tombs were opened in one of the churches. This is absolutely false. At the time of the casting of the vote at Avignon there were no tombs opened, no quarrels and no desecrations. The gazette of Villeneuve-lès-Avignon, the gazette which is paid by the party of anti-revolutionaries who took refuge there, this gazette which furnished M. Maury with most of the facts he set forth, because, for a fact, they have been published in it for three weeks past, this gazette, I say, published at this time an anecdote of an occurrence which took place six weeks before when the National Guard of Avignon established its staff office in a church called the Carmelites, if I am not mistaken. A rivalry for position on the staff occasioned some altercations. It was claimed that some one moved a tomb; we were notified, we immediately annulled the deliberations; we denounced the fact to the Municipality, and the assembly which was being held was begun again; this is the fact which was distorted, but which I certify as being true, for I personally looked into the matter very carefully and I defy M. Maury to contradict me.

I deny also, in the most formal manner, the fact likewise taken up by the gazette of Villeneuve-lès-Avignon, that when I was at that place I was

j'aie été assez en démence pour me permettre de dire à aucun homme que les émigrants pouvaient revenir à Avignon, à condition qu'ils ne voteraient pas pour le pape. J'espère qu'on n'imaginerait pas un homme choisi pour l'exécution de la loi assez fou pour tenir un pareil langage.

Le fait est que je passai à Villeneuve-lès-Avignon par curiosité; que là je trouvai 3 ou 400 émigrants que la curiosité attirait sur le rivage. . . . Je leur avais dit: Retournez à Avignon; vous y jouirez comme les habitants de la garantie promise par la loi et de la protection de la médiation; mais si vous voulez y retourner pour y exciter du trouble, gardez-vous bien de le faire, car nous ne le permettons à aucun parti. (*Applaudissements.*)

. . . . . .

J'ai été à Bolem, et là il est bien étonnant que M. l'abbé Maury prétende que j'aie pu y avoir quelque influence sur le vœu du peuple. Il était émis il y a 17 jours; on me présente ce vœu; on me présente la délibération de la commune. Je dis à la municipalité qu'elle avait fort bien fait, mais en lisant le procès-verbal, j'y trouvais une protestation qui supposait que l'on pouvait employer la force pour le faire changer.

J'observai à la municipalité que, si elle avait eu le droit démettre son vœu, il était peut-être peu décent d'avoir exprimé qu'on avait eu le

ever so demented as to say to any one that the emigrants could return to Avignon on condition that they did not vote for the Pope. I hope that no one will imagine that a man chosen to execute the law could be mad enough to be guilty of such language.

The fact is that I was passing through Villeneuve-lès-Avignon through curiosity; that there I found three or four hundred emigrants whom curiosity had drawn to the banks of the river. . . . I said to them: "Return to Avignon; like the inhabitants you will possess the guarantee promised by law and the protection of the mediation; but if you wish to return in order to stir up trouble, take care not to do it, for we will not permit that to any party." (*Applause.*)

. . . . . .

I have been to Bolem, and it is very surprising that M. l'Abbé Maury should claim that I could in any way influence the vote of the people. It had been cast seventeen days before; the vote was presented to me; they presented me the deliberation of the commune. I told the Municipality that they had done very well, but on reading the formal minute, I found in it a declaration which suggested that force could be used in order to change it.

I observed to the Municipality, that if it had the right to cast its vote, it was perhaps scarcely decent to have expressed a suspicion that the media-

soupçon que la médiation pouvait la forcer à changer son opinion; je lui dis que je croyais cela peu nécessaire, que cet article n'était pas agréable à la médiation qui montrait une impartialité aussi décidée, une protection et une garantie aussi fortes. Les armes de France étaient sur les portes de Bolem; je dis à la municipalité que, quand les gardes nationales qu'ils avaient appelées, pour leur sûreté, seraient retirées, il était possible que les armes de France fussent, par quelque circonstance, insultées; que je croyais qu'il était plus sage et mieux de les ôter.

Un dernier chef est d'avoir réintégré M. Raphel, juge d'Avignon. M. Raphel a été nommé juge d'Avignon par la commune. Dans le temps des troubles, la commune chargea la municipalité de choisir un autre juge. M. Raphel, revenu après une absence de 2 mois, demanda à rentrer dans ses fonctions, qu'il n'avait jamais cessé d'exercer, en vertu de sa nomination et en vertu de la loi, qui veut qu'un juge ne puisse être destitué que par un jugement. M. Raphel s'adressa à nous, et nous à la municipalité. Nous nous trouvions chargés envers M. Raphel d'une sorte de responsabilité, puisque nous étions les garants de la propriéte des personnes. La municipalité rétablit M. Raphel, et alors comme nous seuls avions sur les esprits une préponderance d'opinion, qui prévenait les troubles, nous déclarâmes qu'en vertu du rétablissement de M. Raphel, la force publique prêterait assistance à ses jugements,

tion could force it to change its opinion; I said that I thought this hardly necessary, that this article was not pleasing to the mediation, which showed decided impartiality, and a protection and guarantee equally strong. The arms of France were over the gates of Bolem; I told the Municipality that when the National Guards, which they had summoned for their safety, were withdrawn, it was possible that the arms of France might meet with some insult and that I thought it wiser and better to take them down.

One more accusation is the reinstatement of M. Raphel, Judge of Avignon. M. Raphel was nominated as Judge of Avignon by the commune. During the time of the disturbances, the commune directed the Municipality to choose another judge. M. Raphel on his return after an absence of two months asked to be permitted to take up his duties, which he had never ceased to perform, by virtue of his nomination and by virtue of the law, which directs that a judge can only be removed from office by a judgment against him. M. Raphel turned to us, and we turned to the Municipality. We found ourselves charged with a sort of responsibility towards M. Raphel, as we were guarantors of the safety of persons. The Municipality reinstated M. Raphel, and then, as we alone had the preponderance of opinion over the minds of the people, and foresaw disturbances, we declared that by virtue of et je crois que nous étions dans les termes précis de la loi.

the reinstatement of M. Raphel, the public forces would lend assistance to his judgments, and I believe that we acted according to the exact terms of the law.

. . . .

D'après le compte que je viens de vous rendre, Messieurs, vous avez vu que la médiation a fait cesser toutes les hostilités entre les peuples d'Avignon et du Comtat; vous avez vu qu'elle a rétabli partout la paix, qu'elle a fait rentrer dans les communes du Comtat les émigrants que les troubles, les craintes ou les vexations en avaient bannis. Elle a donc rempli littéralement le but que l'Assemblée nationale s'était proposé dans son décret du 25 mai. Conformément aux préliminaires de paix les communes se sont expliquées au sein de la tranquillité et de la paix. L'Assemblée électorale a recueilli leurs vœux, et les a déposés devant vous. La médiation a donc rempli encore le but de la loi du 4 juillet, dont l'exécution lui était confiée.

According to the report I have rendered you, Gentlemen, you have seen that the mediation has caused the cessation of all hostilities between the people of Avignon and the Comtat; you have seen that it established peace everywhere, that it caused to return to the communes of the Comtat the emigrants, whom disturbances, fear and molestations had banished. It therefore accomplished literally the aim which the National Assembly had proposed in its decree of May 25. Conformably to the Preliminaries of Peace, the communes made their declarations in the midst of tranquillity and peace. The Electoral Assembly received their votes, and placed them before you. The mediation has therefore accomplished the object of the law of July 4, the execution of which had been confided to it.

Une inculpation porte particulièrement sur M. Verninac, mon collègue. Il va, si l'Assemblée le permet, y répondre lui-même. (*Applaudissements.*)

One accusation deals particularly with M. Verninac, my colleague. With the permission of the Assembly, he will reply for himself. (*Applause.*)

### *Reply of Verninac Saint-Maur*

Parmi la foule des assertions énoncées hier par M. l'abbé Maury, avec une merveilleuse assurance et que j'appellerai du nom bien mitigé

Among the number of assertions made here yesterday by M. l'Abbé Maury, with a marvellous assurance and what I will call by the much

d'inexactitudes, parce que je veux donner à l'Assemblée une haute preuve de mon profond respect, il en est une qui n'est pas dénuée de vérité. M. l'abbé Maury a dit que j'avais accepté la présidence des Amis de la Constitution française à Avignon. Je le confesse, Messieurs, et s'il est vrai que cette condescendance de ma part ait contrarié mon caractère, si cette condescendance est un tort, je m'empresse de faire la part de la malveillance, en m'en avouant coupable. Ce tort, si c'en est un, n'est cependant pas inatténuable; . . .

Je commencerai par vous instruire d'un fait essentiel: c'est que la Constitution française, c'est que vos décrets régissent depuis longtemps les deux Etats d'Avignon et du Comtat Venaissin. Tout ce que l'anarchie a pu permettre d'y former d'établissements politiques, est organisé suivant vos lois; et si M. l'abbé Maury m'accusait d'inexactitude, j'en appellerai à lui-même. Il vous a dit hier, Messieurs, que la municipalité de Bolem était allée en écharpe au-devant de mon collègue. Oui, Messieurs, c'est une vérité de fait que les deux Etats d'Avignon et du Comtat se gouvernent par les lois que vous avez faites; et il n'est cependant la patrie de M. l'abbé Maury, qui n'ait une administration municipale, institué suivant vos décrets.

. . . Messieurs, n'eût-il pas été surprenant qu'il y eût eu dans Avignon

mitigated name of inaccuracies, because I wish to give to the Assembly a high proof of my profound respect, there is one which is not denuded of truth. M. l'Abbé Maury said that I had accepted the presidency of the "Friends of the French Constitution of Avignon." I confess it, gentlemen, and if it is true that this condescension on my part is contrary to my character, and if this condescension is wrong, then I hasten to yield to malevolence in acknowledging my guilt. This wrong, if it is one, is however not without extenuating circumstances; . . .

I will begin by explaining to you one essential fact: which is that the French constitution and your decrees have ruled for a long time over the two States of Avignon and the Comtat Venaissin. All that anarchy could permit in the forming of political establishments are organized according to your laws; and if M. l'Abbé Maury accuses me of inaccuracy, I will appeal to himself. He told you yesterday, Gentlemen, that the Municipality of Bolem, wearing their scarves, had gone to meet my colleague. Yes, Gentlemen, it is a veritable fact that the two States of Avignon and of the Comtat are governed by laws which you have made, and even the home of M. l'Abbé Maury has a municipal administration, instituted according to your decrees.

. . . Gentlemen, would it not have been surprising, that in Avignon there

une société vouée au sacerdoce des lois françaises, et que des Français eussent dédaigné d'y paraître.

. . . . .

Par une suite de troubles qui avaient tourmenté la ville d'Avignon, et durant que l'armée était en campagne, la Société des Amis de la Constitution avait rayé de ses registres plusieurs de ses sociétaires. Au retour de l'armée après le licenciement, ces sociétaires demandèrent à être réintégrés; et nul ne paraissant pour soutenir les inculpations qui avaient été faites, on les biffa sur les registres, et l'on y rétablit les noms qui en avaient été effacés.

Mais le rapprochement des esprits n'ayant pu s'opérer comme celui des personnes, et la société étant devenue très tumultuaire, les deux partis pensèrent que le moyen d'y rétablir le bon ordre, et de fondre ensemble les différentes passions, était de nommer à la présidence une personne qui, par le respect dû à son caractère, imposât silence aux ressentiments divers, les accoutumât ainsi à se voir de près, et achevât insensiblement l'œuvre de la réconciliation.

Ce fut dans ces circonstances que je fus invité à présider la Société des Amis de la Constitution dans Avignon; ce fut dans des vues de paix que j'acceptai cette place, . . .

should be a society devoted to the cult of the French laws, and that Frenchmen had disdained to be present?

. . . . .

In consequence of the disturbances which had tormented the City of Avignon and while the army was in the field, the Society of the Friends of the Constitution had erased from its register several of its members. On the return of the army after its disbanding, these members asked to be reinstated, and no one appearing to sustain the charges which had been preferred, the records were cancelled, and the names which had been erased were restored.

But minds not having been able to come together as did the individuals, and the society having become very tumultuous, the two parties thought that the best means of restoring order and of harmonizing the contending factions would be to nominate for the presidency a person who, by the respect due his position, could impose silence on the various factions, could accustom them to get into contact, and imperceptibly to effect a reconciliation.

It was under these conditions that I was invited to preside over the Society of the Constitution at Avignon; it was in the interest of peace that I accepted the position, . . .

## *Decree of the National Convention Uniting Avignon and the Comtat Venaissin to France. September* 14, 1791 [1]

L'Assemblée nationale, après avoir entendu le rapport de ses comités diplomatiques et d'Avignon;

Considérant que, conformément aux préliminaires de paix arrêtés et signés à Orange le 15 juin de cette année, par les députés de l'assemblée électorale des deux états réunis, des municipalités d'Avignon et de Carpentras, et de l'armée de Vaucluse, en présence et sous la garantie provisoire des médiateurs de la France envoyés par le Roi, garantie que l'Assemblée nationale a confirmée par son décret du 4 juillet dernier, les communes des deux états réunis d'Avignon et Comtat Venaissin se sont formées en assemblées primaires, pour délibérer sur l'état politique de leur pays;

Considérant que la majorité des communes et des citoyens a émis librement et solennellement son vœu pour la réunion d'Avignon et du Comtat Venaissin à l'Empire français;

Considérant que, par un décret du 25 mai dernier, les droits de la France sur Avignon et le Comtat Venaissin ont été formellement réservés;

L'Assemblée nationale déclare qu'en vertu des droits de la France sur les états réunis d'Avignon et du Comtat Venaissin, et que, conformément au

The National Assembly, having heard the report of its Diplomatic Committee and its Committee on Avignon;

Considering that, according to the Preliminaries of Peace agreed on and signed at Orange on June 15 of this year, by the deputies of the joint Electoral Assembly of the two States, of the Municipalities of Avignon and of Carpentras and of the army of Vaucluse, in the presence and under the provisional guarantee of the Mediators of France sent by the King, a guarantee which the National Assembly has confirmed by its decree of July 4 last, the communes of the two united States of Avignon and the Comtat Venaissin have formed themselves into primary assemblies, for the purpose of deliberating regarding the political status of their country;

Considering that the majority of the communes and of the citizens has freely and solemnly expressed its desire for the union of Avignon and the Comtat Venaissin with the French Empire;

Considering that, by a decree of May 25 last, the rights of France over Avignon and the Comtat Venaissin have been formally reserved;

The National Assembly declares that by virtue of the rights of France over the united States of Avignon and the Comtat Venaissin, and in ac-

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[1] Duvergier, *Collections,* vol. 3, p. 267.

vœu librement et solennellement émis par la majorité des communes et des citoyens de ces deux pays pour être incorporés à la France, lesdits deux états réunis d'Avignon et du Comtat Venaissin font, dès ce moment, partie intégrante de l'Empire français;

L'Assemblée nationale décrète que le Roi sera prié de nommer des commissaires qui se rendront incessament à Avignon et dans le Comtat Venaissin, pour faciliter l'incorporation de ces deux pays à l'Empire français;

L'Assemblée nationale décrète que, dès ce moment, toutes voies de fait, tous actes d'hostilités, sont expressément défendus aux différens partis qui peuvent exister dans ces deux pays. Les commissaires envoyés par le Roi veilleront à l'exécution la plus exacte des lois; ils pourront requérir, avec les formes accoutumées, les troupes de ligne et gardes nationales, pour le rétablissement et le maintien de l'ordre public et de la paix.

L'Assemblée nationale décrète que le Roi sera prié de faire ouvrir des négociations avec la cour de Rome, pour traiter des indemnités et dédommagements qui pourraient lui être légitimement dus.

L'Assemblée nationale charge ses comités de constitution, diplomatique et d'Avignon, de lui présenter incessamment un projet de décret sur l'établissement provisoire des autorités civiles, judiciaires et administratives

cordance with the vote freely and solemnly expressed by the majority of the communes and of the citizens of these two countries for incorporation with France, the said United States of Avignon and the Comtat Venaissin form, from this time on, an integral part of the French Empire;

The National Assembly decrees that the King shall be requested to name commissioners who shall repair to Avignon and the Comtat Venaissin, without delay, in order to facilitate the incorporation of these two countries in the French Empire;

The National Assembly decrees that, from this time on, all acts of violence and all hostile acts are expressly forbidden to the different parties which may exist in these two countries. The commissioners sent by the King shall see to the careful execution of the laws; they may, by means of the accustomed forms, call for the aid of the troops of the line and the National Guard, in order to restore and maintain public order and peace.

The National Assembly decrees that the King shall be requested to open negotiations with the Court of Rome concerning such indemnities and damages as may be legitimately due it.

The National Assembly charges its Committees on the Constitution and on Avignon, and its Diplomatic Committee, to present at once a draft decree for the provisional setting up of civil, judicial and administrative au-qui régiront les deux pays réunis d'Avignon et du Comtat Venaissin, jusqu'à leur organisation définitive.

thorities, which shall exercise power in the two united countries of Avignon and the Comtat Venaissin, until the time of their final organization.

# SAVOY AND NICE, 1792–3

## *Proclamation of General Montesquiou to the People of Savoy. September 21, 1792*[1]

*Au camp de Barraux,*
*le* 21 *septembre.*

Au nom de la nation française, liberté, égalité.

Le général de l'armée française, obéissant à la volonté souveraine de la nation, chargé par elle de venger les injures que le roi de Sardaigne, au mépris des traités, a faites à la France dans la personne de ses ambassadeurs, et les mauvais traitements qu'il a permis que des citoyens français éprouvassent dans ses Etats, veut faire connaître à l'Europe, et particulièrement aux peuples de la domination sarde, les justes motifs qui ont déterminé la nation française à agir envers le roi comme envers un violateur de la foi publique et du droit des gens.

. . . . .

Séparez-vous de vos tyrans; ce sont eux seuls que nous venons combattre. La chaumière du pauvre sera l'asile de la paix, nous y verserons des consolations. L'armée française ne vient point dévaster vos campagnes. Ce que ses besoins exigeront, le général vous le demandera avec confiance; ce sera toujours l'argent à la main qu'il recevra votre secours. En respectant

*In the Field at Barraux,*
*September* 21.

In the name of the French nation, Liberty, Equality.

The General in command of the French army, in obedience to the sovereign will of the nation, charged by it with the avenging of the injuries which the King of Sardinia, in despite of treaties, has done to France in the person of her Ambassador, and the evil treatment which he has allowed the French citizens to suffer in his States, desires to acquaint Europe, and particularly the peoples under Sardinian domination, with the just reasons which have determined the French nation to take action against the King as against a violator of public faith and of international law.

. . . . .

Separate from your tyrants; it is they alone we are come to battle with. The poor man's cottage shall be the refuge of peace, we shall there pour forth consolation. The French army does not come to lay waste your fields. What our needs require the General will ask for confidently; he will ever receive your aid with money in hand. As for your persons, your homes,

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[1] *Arch. parl.*, 1st series, vol. 52, p. 295.

vos personnes, vos demeures, vos propriétés, en vous offrant son amitié, le peuple français veut vous faire partager avec lui le bien le plus cher à l'homme, celui dont l'espoir ou le désir ne meurt jamais, même dans le cœur de l'esclave, la liberté. Puissiez-vous en jouir sans sa protection! Ce sera le succès le plus glorieux pour nos armées.

Signé: *Le général.*
MONTESQUIOU.

your property, in offering you its friendship the French people wish you to share with it the blessing dearest to mankind, Liberty, for which hope and longing never die, even in the heart of the slave. May you enjoy this without its protection! That would form the most glorious success of our armies.

(Signed), *General in Command,*
MONTESQUIOU.

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## *Letter of General Montesquiou to the Minister of War, and Discussion Regarding it in the French National Convention. September* 28, 1792 [1]

*Chambéry, le* 25 *septembre, l'an IVe de la liberté et le Ier de l'égalité.*

J'avais eu l'honneur de vous mander, Monsieur, que ma première lettre serait datée de Chambéry; vous voyez que je vous tiens parole. Tout a fui depuis les bords du lac de Genève jusqu'à ceux de l'Isère; et des députations de toutes les villes de Savoie m'arrivent successivement pour rendre hommage à la nation française, et pour implorer sa protection. La fuite n'a été que trop rapide, puisqu'il m'est impossible d'atteindre les ennemis; mais, si je n'ai qu'un faible espoir de les faire prisonniers, j'en suis dédommagé par des captures plus utiles que je dois à la précipitation de leur fuite. Je joins ici un état succinct des provisions, des munitions, etc. . . .

La marche de mon armée est un triomphe; le peuple des campagnes,

*Chambéry, September* 25, *Year IV of Liberty and I of Equality.*

I have had the honor of informing you, Sir, that my first letter would be dated from Chambéry; you see that I keep my word. All have fled, from the borders of Lake Geneva to those of the Isère; and deputations from all the towns of Savoy are arriving in turn before me, to do homage to the French nation, and to implore its protection. The flight has been only too rapid, since it is impossible for me to reach the enemy; but if I have only a slight hope of taking them prisoner, I am compensated by more useful captures which I owe to the precipitation of their flight. I give here a detailed statement of the provisions, munitions, etc. . . .

My army marches in triumph; the country people and those of the towns

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[1] *Arch. parl.*, 1st series, vol. 52, p. 188.

celui des villes accourent au-devant de nous; la cocarde tricolore est arborée partout; les applaudissements, les cris de joie accompagnent tous nos pas. Une députation de Chambéry m'est venue trouver avant-hier au château des Marches; hier matin, j'en suis parti avec 100 chevaux, 8 compagnies de grenadiers et 4 pièces de canon pour me rendre dans cette ville. La municipalité m'attendait à la porte, en habit de cérémonie, pour m'en remettre les clefs. Le chef de la municipalité m'a exprimé les sentiments de respect et d'attachement du peuple de Savoie pour la nation française; et, au nom de cette nation généreuse, j'ai promis protection, paix et liberté au peuple de Savoie. Je me suis rendu à la maison commune; j'y ai reçu les hommages que les citoyens s'empressaient de rendre à la nation, et toute la troupe a été invitée à un grand festin qui lui était préparé.

. . . . .

Aujourd'hui l'arbre de la liberté sera planté en grande cérémonie sur la place principale de la ville.

Il me paraît que les esprits sont disposés à une Révolution semblable à la nôtre: j'ai déjà entendu de proposer à la France un $84^e$ département, ou au moins une République sous sa protection. Il est à désirer que je connaisse le vœu du gouvernement, car je crois que je serai à portée d'influer sur les partis que l'on prendra. . . . J'ai dit d'ailleurs, que la nation laissait libre cours aux lois du pays, jusqu'à ce que la nation savoisienne

run to meet us; the tricolor cockade is everywhere displayed; our progress is accompanied by applause and cries of joy. Day before yesterday a deputation from Chambéry came to seek me at the Chateau des Marches; yesterday morning I departed from it for that town with one hundred horses, eight companies of grenadiers and four pieces of canon. The Municipality awaited me at the gate, in ceremonial robes, to give me the keys. The head of the Municipality expressed to me the sentiments of respect and of attachment of the people of Savoy for the French nation; and, in the name of this generous nation I promised protection, peace and liberty to the people of Savoy. I repaired to the communal hall; I there received the homage which the citizens hastened to render to the nation, and the whole troop was invited to a great festival which had been prepared for it.

. . . . .

To-day the Tree of Liberty is to be planted with great ceremony in the principal square of the town.

It appears to me that the mind of the people here is disposed to a revolution such as ours; I have already heard made the suggestion of proposing to France an eighty-fourth department, or at least a republic under its protection. It is desirable that I should know the wish of the Government, for I believe that I shall be in a position to influence the decisions to be made. . . . I have said besides that the nation was giving free play

les ait librement changées. Je vous prie de me mander si je dois tenir un autre langage; jusqu-là je n'interromprai point les lois ordinaires, ni les fonctions des magistrats.

Peut-être faudrait-il, pour remplacer l'autorité administrative de l'ancien gouvernement, tant qu'il ne sera pas changé, nommer un gouverneur général de cette province. Je ne peux y exercer que l'autorité militaire, et c'est user du droit de conquête. Je laisse cet examen à votre sagesse.

Je désire, Monsieur, que ma conduite ait l'approbation de l'Assemblée nationale et la vôtre. . . .

*Le Général de l'armée du Midi,*[1]
Signé: MONTESQUIOU.

. . . . .

BANCAL. . . . Je rappellerai à la Convention que l'Assemblée constituante, en consacrant par un décret solennel qu'elle renoncait à l'ambition des conquêtes, a rendu le plus grand hommage à la liberté des peuples. Fidèle à ce principe sacré, la Convention doit rejeter la proposition qui lui est faite d'ériger un 84ᵉ département la partie de la Savoie qui manifeste son amour pour la liberté en s'arrachant au joug du despotisme (*Murmures*) et laisser ce pays libre de se donner un gouvernement particulier.

to the laws of the country, until the Savoyard nation should have freely changed them. I beg you to write me whether I should use other language; until then I shall interfere neither with the ordinary laws nor with the functions of the magistrates.

Perhaps it may be necessary, in order to replace the administrative authority of the former Government, in so far as it is not changed, to name a governor general of this Province. I can exercise only military authority here, and that would be to make use of the right of conquest. I leave this question to your wisdom.

I desire, Sir, that my conduct should have the approval of the National Assembly and yours also. . . .

*The General of the Army of the Midi,*
(Signed) MONTESQUIOU.

. . . . .

BANCAL. . . . I shall recall to the Convention that the Constituent Assembly, in consecrating by a solemn decree its renunciation of conquest, has rendered the greatest homage to the liberty of peoples. Faithful to this sacred principle, this Convention must reject the proposition made to it to erect, as Department 84, the part of Savoy which manifests its love for liberty by tearing itself from the despot's yoke (*murmurs*) and must leave this country free to give to itself its own government.

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[1] *Copie de la proclamation faite par le général de l'armée du Midi, et affichée par son ordre dans la Savoie.*

" Au nom de la nation française, guerre aux despotes, paix et liberté aux peuples!

*" Le Général de l'armée du Midi,*
" Signé: MONTESQUIOU."

Je ne suis d'avis de ceux qui pensent que, pour qu'un peuple soit heureux, il faut qu'il possède une grande étendue de territoire. La France est assez vaste, et je crois que vous devez manifester l'intention de renoncer à tout désir d'agrandissement. Ce décret ne peut qu'être agréable. (*Murmures.*) Je demande le renvoi de la proposition du général Montesquiou au comité diplomatique.

LACROIX. Et moi, je demande la question préalable, sur le renvoi au comité. Vous entrez en Savoie pour donner à ce peuple la liberté, et non pour le conquérir. Mais au moins faut-il que quelque avantage vous indemnise des frais de la guerre, et que la propagation des principes de la liberté soit sûre et stable; car si à la paix vous rendiez ces pays aux despotes qui les avaient asservis, quels seraient les hommes qui oseraient se réunir à vous, et qui le pourraient sans danger! Vous ne trouveriez pas un ami, chacun serait retenu par la crainte de rentrer bientôt sous la domination du tyran.

. . . . .

LÉONARD BOURDON. Je demande l'impression de la lettre de Montesquiou et je propose d'attendre, pour prendre une détermination quelconque, que la Convention soit informée des dispositions du peuple de Savoie.

CAMILLE DESMOULINS. L'Assemblée constituante a consacré ce grand principe que tout peuple a le droit de se donner le gouvernement qui lui plait. La Convention nationale ne doit pas

I am not of the opinion of those who think that for a people to be happy, it must possess a great extent of territory. France is sufficiently large, and I believe that you should make plain the intention of renouncing all desire for aggrandisement. This decree cannot fail to be pleasing. (*Murmurs.*) I ask that the proposition of General Montesquiou be referred to the Diplomatic Committee.

LACROIX. And I, I move the previous question, as to referring it to the committee. You enter Savoy to give this people liberty, not to conquer it. But it is necessary that at least some advantage should indemnify you for the costs of the war, and that the spread of principles of liberty should be sure and firm; for, if at the peace you give over this country to the despots who have enslaved it, what would become of the men who dared join you, and who should be able to do so without danger! You would not find a friend, every man would be held back by the fear of soon finding himself again under the domination of the tyrant.

. . . . .

LÉONARD BOURDON. I request the printing of the letter of General Montesquiou and propose delay, before arriving at any decision, until the Convention is informed as to the attitude of the people of Savoy.

CAMILLE DESMOULINS. The Constituent Assembly has consecrated the great principle that every people has the right to give itself the government which pleases it. The National Con-

restreindre la souveraineté des peuples; elle doit laisser le peuple savoisien libre de se choisir le gouvernement qui lui convient. Et, à cet égard, je rappellerai un trait fameux dans les fastes de l'histoire. Rappelez-vous, Messieurs, lorsque la ligne des Achéens fut vaincue, que le peuple romain reconnut pour la première fois le droit incontestable des peuples . . . Le Sénat romain convoque toute la Grèce et déclara à ses habitants qu'ils avaient le droit d'adopter telle forme de gouvernement à laquelle ils donneraient la préférence.

Craignons de ressembler aux rois en enchaînant la Savoie à la République. Invitons-la à s'assembler, sous notre protection et à prononcer sa destinée politique.

vention should not fetter the sovereignty of the people; it should leave the Savoyard people free to choose the government which it wishes. And on this point I recall an act famous in the annals of history. Do you recall, Gentlemen, when the Achaean League was conquered, that the Roman people for the first time recognized the incontestable rights of peoples. . . . The Roman Senate convoked the whole of Greece and declared to the inhabitants that they had the right to adopt such form of government as they preferred.

Beware of resembling kings in enchaining Savoy to the Republic. Let us invite them to assemble, under our protection, and to determine their political future.

. . . . .

Louvet de Couvrai. . . . Certes, Français, il ne peut entrer dans la tête d'aucun membre de cette Assemblée, qu'en pénétrant dans la Savoie vous ayez voulu ne soulever qu'un moment les chaînes du peuple qui l'habite, pour ensuite les laisser retomber sur lui avec plus de pesanteur. . . . Comment pourriez-vous, sans porter atteinte à leurs droits les plus sacrés, les forcer à recevoir de vous la Constitution que vous allez vous donner, et qui peut-être ne leur conviendrait pas? Et d'ailleurs, Français, considérez que ce qui est essentiellement juste, est aussi presque toujours essentiellement politique. Je maintiens, par exemple, que dans le Brabant, où vous allez entrer, vous vous

Louvet de Couvrai. . . . It is certain, Frenchmen, that it can enter the mind of no member of the Assembly that in penetrating into Savoy you have wished to raise the chains from the people for a moment only, to let them fall back on them with the more weight. . . . How, without infringing on their most sacred rights, could you force them to receive from you the constitution which you are about to give yourselves, and which, perhaps, would not suit them? And moreover, Frenchmen, consider that what is essentially just is almost always essentially expedient. I maintain, for example, that in Brabant, which you are about to enter, you would make for yourselves many

feriez beaucoup d'ennemis, si vous annonciez le dessein de donner à ses habitants toutes vos lois, dont quelques-unes leur seraient longtemps encore, et jusqu'à ce qu'ils soient plus éclairés, très désagréables. Je maintiens, au contraire, que le meilleur moyen de vous faire de nombreux alliés dans tous les pays que vous allez conquérir sur la tyrannie des despotes, c'est de déclarer que vous apportez aux peuples, non pas soumis, mais délivrés (*Applaudissements*) une liberté tout entière (*Applaudissements*) ; que vous ne leur contesterez pas le droit de se gouverner, et de ne se gouverner que par des lois qu'eux-mêmes ils se seront données ; qu'enfin, vous vous bornerez à reconnaître leur indépendance absolue, que vous garantirez contre tous, et de toute la force de vos armes. (*Vifs applaudissements.*)

LACROIX. Qui paiera les frais de la guerre?

LOUVET DE COUVRAI. Les frais de la guerre! Vous en trouverez l'ample dédommagement dans la jouissance de votre liberté, pour toujours assurée, dans le spectacle du bonheur des peuples que vous aurez affranchis. . . .

Français, je demande que pour la joie des peuples auxquels il sera dès lors démontré que vous voulez en effet leur apporter la liberté, mais une vraie liberté, mais la leur, et non la vôtre; que pour le désespoir des tyrans qui ne pourront vous calomnier en vous supposant devant l'Europe l'ambition des conquêtes, je demande que tout à l'heure vous proclamiez, à la face de l'univers, ce décret solennel qu'à l'in-

enemies if you should announce the intention of giving to the inhabitants all your laws, many of which would be very disagreeable to them until they are more enlightened. I maintain, on the contrary, that the better way of making numerous allies for yourselves in all the countries which you are going to wrest from the tyranny of despots, is to declare that you are bringing to the people, not conquered but delivered, (*applause*) a liberty which is complete (*applause*) ; that you do not contest their right to govern themselves and to govern themselves by those laws only which they shall have given to themselves; that, finally, you will limit yourself to recognizing their absolute independence, which you will guarantee against everyone with all the force of your arms. (*Loud applause.*)

LACROIX. Who will pay the cost of the war?

LOUVET DE COUVRAI. The cost of the war! You will find ample indemnity in the enjoyment of your liberty assured forever, in the spectacle of the happiness of the people whom you will have enfranchised. . . .

Frenchmen, I ask that for the joy of the people to whom it shall be henceforth shown, that you wish truly to bring liberty — a real liberty, their own and not yours — that for the despair of the tyrants who will not be able to slander you by imputing to you before Europe, the ambition for conquest, I ask that you at once proclaim before the universe this solemn decree, that at the instant when, defied by

stant où, défiés par quelque roi, vous serez entrés sur son territoire, et que vous y aurez brisé les fers de ses ci-devant sujets, vous rendrez au peuple affranchi le droit de s'assembler, pour se donner lui-même les lois qu'il jugera nécessaires à son bonheur, et qu'aussitôt vous, Français, vous garantirez son indépendance par toute la puissance de vos armes. (*Vifs applaudissements.*)

LASOURCE. Plus on parlera sur ce principe, plus on fera sentir la nécessité d'y admettre des modifications et, par conséquent, de renvoyer la question à l'examen d'un comité. Le citoyen Louvet a confondu ici deux choses très distinctes : le principe général et la demande que vous fait Montesquiou de lui donner un plan de conduite pour la circonstance particulière où il se trouve.

Sans doute, nous ne devons porter atteinte à la liberté d'aucun peuple, mais la nation française a déjà fait la déclaration solennelle de ce principe; il ne s'agit maintenant que de son application. Or, nous n'avons point à décider ce que la Convention jugera convenable à l'égard du peuple de Savoie, dont les regards se sont tournés vers la liberté. Cette question méritera une discussion particulière et je demande le renvoi au comité diplomatique.

Mais il est nécessaire que la Convention détermine ce que le pouvoir exécutif et le général Montesquiou peuvent faire dans la circonstance actuelle. Je demande d'abord l'impres-

some king, you shall have entered his territory and shall there have broken the fetters of his former subjects, you will return to the enfranchised people the right to assemble in order to give themselves the laws which they shall deem necessary for their welfare, and that immediately, Frenchmen, you will guarantee their independence by all the power of your arms. (*Lively applause.*)

LASOURCE. The more this principle is spoken of, the more we are made to feel the necessity of admitting modifications and consequently of referring the question to the examination of a committee. Citizen Louvet has here confused two very distinct matters : the general principle, and the request which Montesquiou has made to you to give him a plan of conduct for the particular circumstance in which he finds himself.

Doubtless we should not infringe on the liberty of any people, but the French nation has already made a solemn declaration of this principle; it is now a question only of its application. But it is not for us to decide as to what the Convention will judge suitable regarding the people of Savoy, whose eyes are turned towards liberty. This question deserves a special discussion and I ask that it be referred to the Diplomatic Committee.

But it is necessary that the Convention shall decide what the executive power and General Montesquiou can do under the present circumstances. I ask first that the letter be

sion de la lettre, l'envoi aux départements et le renvoi au comité diplomatique, pour vous présenter, sur ce dernier objet, ce qui sera nécessaire.

DANTON. Quoique je reconnaisse le principe par lequel tous les peuples ont le droit de choisir le gouvernement qui leur est propre, je ne suis pas de l'avis de l'antépréopinant par rapport aux conséquences qu'il en a tirées et j'appuie la proposition de renvoi au comité avec d'autant plus de raison que le principe qu'on vient d'énoncer paraît peut-être susceptible de quelque restriction.

En même temps que nous devons donner aux peuples voisins la liberté, je déclare que nous avons le droit de leur dire: "Vous n'aurez plus de rois; (*Mouvements divers*) car tant que vous serez entourés de tyrans, leur coalition pourra mettre votre propre liberté en danger." Les Français ne doivent donc pas souffrir que les peuples qui aspireront à la liberté, se donnent néanmoins un gouvernement contraire à leurs intérêts et, qu'en se créant des rois, ils nous fournissent sans cesse de nouveaux tyrans à combattre. (*Murmurs.*) En nous députant ici, la nation française a créé un grand comité d'insurrection générale des peuples contre tous les rois de l'univers. (*Applaudissements dans les tribunes.*)

Remplissons notre mission, murissons le principe et ne précipitons pas nos décisions. En un mot, je de-

printed, sent to the departments and referred back to the Diplomatic Committee which shall report to you as to what will be necessary regarding the last point.

DANTON. Although I recognize the principle according to which all peoples have the right to choose the government most suitable to them, I am not of the opinion of the speaker before the last regarding the conclusions which he has drawn from it and I support the proposition to refer it to the committee all the more because the principle which has been enunciated appears to be possibly susceptible of some restrictions.

I declare that although we should give liberty to neighboring peoples, we have the right to say to them: "You shall have no more kings, (*sensation*) for so long as you are surrounded by tyrants, their coalition may place your own liberty in danger." The French people should not suffer the peoples who aspire to liberty to give themselves, nevertheless, a government contrary to their interests, and in creating kings for themselves to furnish themselves ceaselessly with new tyrants to struggle against. (*Murmurs.*) In sending us here as their deputies, the French nation has created a great committee of general insurrection of the peoples against all the kings of the universe. (*Applause in the galleries.*)

Let us fulfil our mission, let us allow the principle to mature and let us not rush into decisions. In a word, mande qu'en appelant les peuples à la conquête de la liberté, la Convention leur propose tous les moyens de repousser la tyrannie sous quelque forme qu'elle se présente et c'est pourquoi j'appuie le renvoi au comité diplomatique. (*Applaudissements.*)

*Plusieurs membres:* La discussion fermée!

(La Convention ferme la discussion, décrète l'impression et l'envoi aux départements et aux armées de la lettre du général Montesquiou et des pièces qui l'accompagnent, enfin renvoie les pièces au comité diplomatique, en chargeant ce comité de lui faire incessamment un rapport sur la manière dont le général Montesquiou doit se conduire en Savoie.)

I propose that in calling the peoples to the conquest of liberty, the Convention shall propose to them every means of repulsing tyranny, under whatever form it may present itself, and that is why I support the motion to refer the matter to the Diplomatic Committee. (*Applause.*)

*Several Members:* Close the discussion!

(The Convention closes the discussion, decrees that the letter of General Montesquiou and the documents accompanying it be printed and sent to the departments and to the armies, and that the documents be then sent back to the Diplomatic Committee; instructing the committee to report to it at once regarding the manner in which General Montesquiou should conduct himself in Savoy.)

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## *Proclamation of the Commissioners sent by the National Convention to the Army of the Alps. October* 6, 1792 [1]

*A Chambéry, le* 6 *octobre* 1792, *l'an* 1$^{er}$ *de la République française.*

Les commissaires de la Convention nationale de France, au peuple savoisien.

FRÈRES ET AMIS,

Vous avez vu, par le manifeste du général Montesquiou, les justes motifs de la République française pour repousser loin de ses frontières les satellites du despots de Turin. Le sol que vous habitez, esclave il y a huit jours, est libre aujourd'hui; et depuis le lac

*Chambéry, October 6th,* 1792, *Year I of the French Republic.*

The Commissioners of the National Convention of France to the Savoyard People.

BROTHERS AND FRIENDS:

You have seen, by the manifesto of General Montesquiou, the just motives of the French Republic for pushing the despots of Turin far back from their frontiers. The soil which you inhabit, a week ago enslaved, is today free: and from the Lake of de Genève jusqu'au Mont-Cenis, les Piémontais ont disparu.

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[1] *Arch. parl.,* 1st series, vol. 52, p. 468.

Vous avez recouvré vos droits, ces droits imprescriptibles des peuples qui, seuls, sont souverains. L'unique prix que la France attend des sacrifices qu'elle a faits pour vous les obtenir, c'est de vous en voir jouir dans toute leur plénitude; c'est de vous voir employer les moyens de les conserver.

Les généraux français, pour vous garantir des désordres que pouvaient exciter quelques malveillants, ont sagement décidé que les autorités établies continueraient l'exercice de leurs fonctions jusqu'à ce qu'elles fussent remplacées par des autorités légitimes, celles qui émanent directement du choix et de la volonté du peuple.

Sortez donc de votre léthargie; vous ne devez aux Français que de l'estime et de la reconnaissance; vous n'avez plus à redouter les Piémontais; et pendant que nos armées veilleront à votre sûreté, occupez-vous d'assurer votre liberté.

Si vous voulez rester sous le joug de vos anciens préjugés, vous êtes les maîtres; les Français, en vous plaignant, respecteront jusqu'à votre aveuglement, et ne s'occuperont que de leur propre sûreté. Si vous voulez un gouvernement libre, fondé sur l'égalité des droits de tous les citoyens sans distinction, nous vous jurons, au nom de la nation française, paix et alliance éternelle.

Mais, quelle que soit votre vo-

Geneva as far as the Mont-Cenis, the Piedmont troops have vanished.

You have recovered your rights, those imprescriptible rights of the peoples, who alone are sovereign. The sole price which France expects from the sacrifices which she has made to obtain these rights for you, is to see you in the enjoyment of them in all their amplitude; it is to see you employing the means to preserve them.

The generous French people, in order to guarantee you from the disorders which might be excited by some evil doers, have wisely decided that the established authorities should continue to exercise their functions until they are replaced by the legitimate authorities, namely those emanating directly from the choice and the will of the people.

Awake from your lethargy; you owe to France only esteem and gratitude; you have nothing more to fear from the Piedmont troops; and while our arms are keeping watch over your safety, occupy yourselves with rendering your liberty secure.

If you wish to remain under the yoke of your former prejudices, you are the masters; the French, while deploring, will respect even your blindness, and will occupy themselves only with their own safety. If you wish a free government, founded on equality of rights of all citizens, without distinction, we shall swear to you, in the name of the French nation, peace and eternal alliance.

But, whatever your will may be,

lonté, nous ne pouvons la reconnaître que dans le peuple assemblé, en prenant son vœu à la majorité.

Des républicains tels que nous, ne s'enorgueillissent que du bien qu'ils font: fiers du succès de nos armes, nous pourrions vous donner des ordres; mais la République française a effacé de ses annales les mots de roi, de maître et de sujets; elle ne voit que des frères dans les peuples qui ont des rapports avec elle, et nous ne vous donnerons, en son nom, que des conseils.

Les assemblées primaires sont les seules où le peuple puisse exercer sa souveraineté.

Nous exhortons donc les Savoisiens libres, aujourd'hui sous l'égide des armes françaises, à se réunir paisiblement et sans armes, dans chaque commune, à l'effet de nommer un député chargé d'exprimer leur vœu dans une assemblée générale pour l'organisation d'un nouveau gouvernement.

Pour que la paix règne, et que la raison triomphe de tous les intérêts personnels, nous transcrivons ici l'immortelle déclaration des droits, base du gouvernement dont les Français vont donner le modèle à l'Europe, et successivement au monde entier.

Peuple savoisien, étudiez les principes immuables, et vous verrez que ces prétendus factieux qui ont abattu tous les préjugés, triomphé de toutes les conspirations, et bravé la fureur de tous les partis, pour dissiper les erreurs de tant de siècles, et ramener leurs concitoyens aux bases de la jus-

we can recognize it only in the people assembled, casting its vote by majority.

Republicans such as we pride themselves only on the good which they do; proud of the success of our arms, we might give you orders; but the French Republic has effaced from its annals the words 'king,' 'master' and 'subjects'; it sees only brothers in the peoples who have relations with them, and, in its name, we give you counsel only.

The primary assemblies are the only ones in which the people can exercise their sovereignty.

We, therefore, exhort the free Savoyards, to-day under the aegis of French arms, to meet peaceably and unarmed in each commune, in order to name a deputy charged with the expression of their wish, in a general assembly, for the organization of a new government.

In order that peace may reign, and that reason may triumph over all personal interests, we here transcribe the immortal Declaration of Rights, the basis of government which the French people wish to give as a model to Europe and, in turn, to the entire world.

People of Savoy, study the immutable principles, and you will see that these alleged factious ones who have fought against all prejudice, triumphed over all conspiracies, and braved the fury of all parties, in order to dissipate the errors of so many centuries, and to lead their fellow

tice éternelle, ne sont pas des brigands, comme vous l'avaient insinué nos méprisables fugitifs; mais des hommes qui se sont élevés à la hauteur de leur dignité, et qui méritent autant votre estime que votre confiance.

Signé: DUBOIS-CRANCÉ — GASPARIN — J.-P. LACOMBE-SAINT-MICHEL — SIMOND.

citizens to the bases of eternal justice, are not brigands, as has been insinuated in your ear by our contemptible fugitives, but men, who are elevated in the pride of their dignity and who merit your esteem and confidence.

(Signed) DUBOIS-CRANCÉ — GASPARIN — J.-P. LACOMBE-SAINT-MICHEL — SIMOND.

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## *Formal Minute of the Vote of the Communal Assembly of Mouthiers. October* 11, 1792[1]

L'an 1792, le onze d'octobre, l'an IV de la Liberté et le I^er^ de l'Egalité, sur les dix heures du matin, à Moûtiers dans l'église métropolitaine de Saint-Pierre, la Nation française venant d'occuper par la force des armes tout le territoire du duché de Savoie, et cette même Nation invitant à forme de manifeste de Messieurs les députés de la Convention Nationale du 6 du courant, que chaque communauté forme des assemblés primaires pour l'election d'un député chargé d'exprimer son vœu dans une assemblée générale de toutes les communes pour l'organisation d'un nouveau gouvernement, vu que l'ancien doit cesser, la communauté de Moûtiers riére (*sic*) laquelle ledit manifeste a été lu, publié et affiché aux lieux et à la manière accoutumée en ayant ouï la lecture et ayant considéré qu'il est urgent de prendre des déterminations qui préviendront les effets funestes de

In the year 1792, on the eleventh day of October, the Fourth Year of Liberty and the First of Equality, at six o'clock in the morning at Mouthiers, in the church of Saint-Pierre, the French nation having occupied by force of arms all the territory of the Duchy of Savoy, and this same nation, by a manifesto of the deputies of the National Convention of the 6th of the current month, having invited each community to form in primary assembly to elect a deputy, charged with the function of expressing its wish in a general assembly of all the communes, in order to organize a new government, as the former one must cease; the Commune of Mouthiers, in whose presence the said manifesto has been read, published and posted in the accustomed places and manner, having heard it read and having decided that there is urgent need to arrive at a de-

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[1] St. Génis, *Histoire de Savoie*, vol. 3, p. 537. Taken from *Archives Municipales de la ville de Moûtiers*, Registre des déliberations No. VII (de 1792 à l'an IV), folio 2.

l'anarchie et dissiperont la perplexité où sont les citoyens, a fait avertir par le son de la cloche, tant hier que ce matin, et par les avis qu'elle a fait communiquer, qu'aujourd'hui il y aurait une assemblée générale de tous les habitants de cette communauté, et le peuple se trouvant en conséquence réunie dans l'église métropolitaine de Saint-Pierre, lieu fixé pour cet effet, et en nombre excédent les deux tiers ainsi qu'il l'a affermé, il a été de nouveau fait lecture du manifeste et tous ont convenu que les circonstances exigent impérieusement une assemblée générale des communes de la Savoie, et ils ont ensuite délibéré par acclamation que, eu égard au trop grand nombre de citoyens assemblés, la délibération se fera aussi par acclamation, qu'elle n'exigera d'autres signatures que celles des maires, du secrétaire de la municipalité et des deux secrétaires adjoints. . . . Et, sur la proposition sur le choix du gouvernement, tous les citoyens assemblés ont unanimement délibéré et par acclamation qu'ils désiroient former partie intégrante de l'Empire français avec lequel ils vouloient être toujours unis, et s'étant déterminés à élire un représentant, les citoyens assemblés ont député par acclamation et unanimement M. Joseph Abondance, médecin, et en cas qu'il soit empesché ils ont député M. Michel Gumery et, à son défaut M. Benoît Fontanel, tous deux hommes de loy.

cision in order to prevent the fatal effects of anarchy and to dissipate the perplexity of the citizens, has given notice both yesterday and this morning by means of a bell, and by the announcements which have been made, that to-day there would be a general assembly of all the inhabitants of this community; and the people finding themselves, consequently, assembled in the church of Saint-Pierre, the place appointed for this purpose, and exceeding in number the two-thirds, as has been stated, the manifesto was again read and all agreed that the circumstances imperatively called for a general assembly of the communes of Savoy, and they have thereupon deliberated by acclamation that, by reason of the too great number of citizens assembled, the deliberation shall be also by acclamation, that no other signatures are needed than those of the Mayors, the Secretary of the Municipality and the two Assistant-secretaries. . . . And, regarding the question as to the choice of government, all the citizens assembled decided unanimously and by acclamation that they desired to form an integral part of the French Empire with which they wished to be forever united, and having decided to elect a representative, the assembled citizens elected M. Joseph Abondance, physician, unanimously and by acclamation, and in case he should be prevented from acting, they elected M. Michel Gumery, and, as his subsitute, M. Benoit Fontanel, both lawyers.

Lesdits citoyens donnent pouvoir par le présent aux-dits députés et suppléants de se rendre à Chambéry le 21 du courant pour assister à l'assemblée générale des communes qui s'y tiendra dans l'église paroissiale y délibérer sur ce qu'il convient de faire dans les circonstances sur la forme du Gouvernement qu'il convient à la Nation de choisir et d'adopter en leur nom; enfin pour y discuter sur les intérêts de la patrie et prendre toutes les précautions convenables pour la sûreté et tranquillité des citoyens et la conservation de leurs propriétés.

Lesdits députés auront, ainsi qu'on leur confère par le présent, un pouvoir illimité pour la décision de tous les cas que les circonstances feront naître sauf pour celui d'unir à l'Empire français tel qu'il a été délibéré cy-devant. La présente délibération a été lue dans son entier à tous les citoyens qui l'ont de nouveau approuvée par acclamation dans tout son contenu, &c. . . . Signé: les syndics Duplan, Bérard, &c., &c.

The said citizens by these presents empower the said deputies and substitutes to repair to Chambéry on the 21st of the current month and to take part in the general assembly of the communes, which is to be held in the parish church to deliberate concerning what should be done under the circumstances regarding the form of government which it may please the nation to choose and to adopt in their name; and finally to discuss the interests of the country and to take all suitable precautions for the safety and tranquillity of the citizens and the preservation of their property.

The said deputies are also endowed by those present with unlimited power for the decision of all questions which may arise except that of union with the French Empire, as has been deliberated above. The present deliberation has been read in its entirety to all the citizens, who have again, by acclamation, approved it in all its contents. . . . (Signed) Duplan, Bérard, &c., &c., Syndics.

## *First Draft Decree Reported by the Diplomatic Committee, Regarding the Conduct to be Prescribed to the French Generals in Enemy Countries. October* 24, 1792 [1]

La Convention nationale, après avoir entendu le rapport de son comité diplomatique, presévérant dans la renonciation aux conquêtes, consacrée

The National Convention, having heard the report of its Diplomatic Committee, persevering in the renunciation of conquests, which has been par la nation française; invariablement décidée à ne jamais méconnaître le principe éternel et sacré de la souveraineté des peuples; jalouse de dissiper toutes les inquiétudes que la présence des armées françaises pourrait faire concevoir; considérant la nécessité de prescrire aux généraux des règles de conduite qui préviennent toute atteinte à la liberté des peuples chez lesquels ils ont porté ou porteront à l'avenir les armes de la République, décrète ce qui suit:

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[1] *Arch. parl.*, vol. 52, p. 651, *et seq.* Consideration of this draft was adjourned, and the decree adopted on December 15 was substituted. See *post*, page 306.

ART. 1er. Dans tous les pays où pénétreront les armées françaises, les généraux feront respecter la sûreté des personnes et des propriétés, et l'indépendance des opinions.

ART. 2. Les généraux français pourront adresser aux peuples dont ils occuperont le territoire, les proclamations, instructions et invitations nécessaires pour les porter à se donner un gouvernement libre; mais ils ne pourront, ni les inviter à adopter les lois françaises, ni leur proposer telle autre forme de gouvernement.

ART. 3. La Convention nationale défend expressément aux généraux de la République de prendre possession d'aucun territoire au nom de la nation française.

ART. 4. En entrant en pays ennemi, les généraux feront proclamer, au nom de la nation française, que le pays est affranchi de la domination de son ci-devant souverain, et libre de se donner, sous la protection des armes de la République, telle organisation

consecrated by the French nation; decided without exception to never disown the eternal and sacred principle of the sovereignty of the peoples; zealous of dissipating all the alarm to which the presence of the French arms might give rise; in view of the necessity of prescribing to the generals rules of conduct which should provide against any infringement on the liberty of the peoples to whom they have carried, or shall in the future carry, the arms of the Republic, decrees the following:

ARTICLE 1. In all the countries where the French armies shall penetrate, the generals shall cause the safety of persons and of property and the independence of opinions to be respected.

ART. 2. The French generals may address to the people whose territory they shall occupy, such proclamations, instructions and invitations as are necessary to lead them to give themselves a free government; but they shall neither invite them to adopt French laws nor propose to them any other form of government.

ART. 3. The National Convention expressly forbids the generals of the Republic to take possession of any territory in the name of the French nation.

ART. 4. On entering enemy territory, the generals shall proclaim in the name of the French nation, that the country is liberated from the dominion of its former sovereign, and free to give itself, under the protection of the armies of the Republic,

provisoire, et telle forme de gouvernement qu'il lui plaira d'adopter.

ART. 5. Les généraux français actuellement en pays ennemi feront faire la même proclamation.

ART. 6. Le comité diplomatique présentera incessamment un projet d'adresse aux peuples, sur l'exercice de leur souveraineté. Les généraux seront tenus de la faire promulguer dans tous les pays où ils entreront.

. . . . .

such provisional organization and such form of government as it shall be pleased to adopt.

ART. 5. The French generals at present in enemy territory shall make the same proclamation.

ART 6. The Diplomatic Committee shall without delay present a proposal for an address to the peoples, on the exercise of their sovereignty. The generals shall be obliged to promulgate this in all the countries which they may enter.

. . . . .

## *Address of the Provisional Administrative Bodies of the City and County of Nice to the National Convention, and Action of the Convention. November* 4, 1792 [1]

### *Adresse à la Convention nationale. Séance du* 21 *octobre* 1792, 7 *heures du soir, l'an* 1er *de la République française*

LÉGISLATEURS,

Les corps administratifs provisoires de la ville et ci-devant comté de Nice, en permanence, réunis à la maison commune, considérant que le plus précieux bien pour l'homme est de vivre libre, offrent à la République française l'hommage pur de leur reconnaissance à cause de leur affranchissement. Depuis l'arrivée des Français dans leur pays, le drapeau de la liberté décore toutes les places publiques. Avant le 29 septembre, cette liberté était concentrée dans

### *Address to the National Convention, Session of October* 21, 1792, *at* 7 P. M., *Year I of the French Republic*

LEGISLATORS:

The Provisional Administrative Bodies of the City and the former County of Nice, in session at the communal hall, considering that the most precious possession of mankind is to live free, offer to the French Republic the pure homage of their gratitude for their deliverance. Since the arrival of the French in their country, the flag of liberty decorates all public places. Before September 29, this liberty was concentrated in their hearts; they are aware of its

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[1] *Arch. parl.*, 1st series, vol. 53, p. 146.

leurs cœurs ; ils en sentent tout le prix. Délivrés du tyran qu'ils abhorrent, ils vous jurent, Français, qu'élevés par vos soins à toute la dignité d'hommes, ils sauront soutenir les droits imprescriptibles de la nature et s'ensevelir sous les cendres et les ruines de leur pays, plutôt que de cesser d'êtres libres.

Nous avons juré de vivre libres ou de mourir ; nous attendons de vous la vie ou la mort ; hâtez-vous de prononcer notre aggrégation à la République française ; nous vous disons avec cette franchise qui convient à un peuple libre, que si notre prière d'être Français n'était pas accueillie, nous ne transigerions jamais avec nos persécuteurs, et nous embrâserions plutôt toutes nos possessions dans cette terre de proscription, pour aller vivre dans la terre de la liberté que vous habitez.

Nous députons vers vous deux citoyens recommendables par leur patriotisme, ils vous exprimeront avec quelle impatience les citoyens de cette importante contrée attendent la nouvelle de leur adoption à leur primitive patrie, la République française, dont ils n'auraient jamais dû être séparés.

Signé : Paul Barras, *president;* Louis Salvy, Cauvin, Chabaud, Leclerc, Giacobi, *maire;* Mouquin, Defly, Levi *l'âiné,* Heraud, Veillon, André, Farandy, Jean-Baptiste Grosson, Louis Saint-Pierre, David Moïse, André Gastaud, Dominique Blanqui, Pierre-Ho-

value. Delivered from the tyrant whom they abhor, they swear to you, Frenchmen, that, elevated by you to the dignity of manhood, they will know how to preserve the imprescriptible rights of nature and to perish under the ashes and ruins of their country sooner than cease to be free.

We have sworn to live free or to die ; we await from you the verdict of life or death ; make haste to pronounce our union with the French Republic ; we say to you with that frankness which becomes a free people, that if our prayer to be French is not accepted, we shall never compromise with our persecutors, that sooner than that we would burn all our possessions in this land of proscription, in order to go to live free in the land of liberty which you inhabit.

We send to you, as deputies, two citizens eminent for their patriotism. They will describe to you with what impatience the citizens of this important country await the tidings of their adoption by their original mother country, the French Republic, from which they should never have been separated.

(Signed) Paul Barras, *President;* Louis Salvy, Cauvin, Chabaud, Leclerc, Giacobi, *Mayor;* Mouquin, Defly, Levi *the elder;* Heraud, Veillon, André, Farandy, Jean-Baptiste Grosson, Louis Saint-Pierre, David Moïse, André Gastaud, Dominique Blanqui, noré Roassal, Victor Tiranty, Bernadin Clevecy, Asda, Jaume, *procureur de la commune.*

. . . . .

David. Je demande qu'au nom de la nation française le président de la Convention donne le baiser fraternel aux deux députés citoyens de Nice.

(La Convention décrète cette motion au milieu des applaudissements qui se prolongent pendant tout le temps de l'exécution du décret.)

(Les deux députés prennent ensuite place à côté du président.)

(La Convention décrète alors qu'il sera fait mention de tous ces faits dans son procès-verbal dont expédition sera envoyée aux citoyens des villes et comté de Nice. Elle ordonne, en outre, que l'adresse des citoyens de Nice et la réponse de son président seront imprimées et envoyées aux 83 départements et aux armées.)

Lequinio. Je demande qu'il soit fait droit à l'instant au vœu des citoyens de Nice.

Barère de Vieuzac. J'applaudis avec un vif intérêt à la réception fraternelle des députés du ci-devant comté de Nice, et j'ai partagé votre empressement à accueillir leur demande en réunion à la République française. Mais il est une observation que je crois digne de votre respect pour la souveraineté des peuples; c'est qu'avant de s'occuper de l'accession, de la réunion d'un peuple à un autre, il est essentiel, il est nécessaire

Pierre-Honoré Roassal, Victor Tiranty, Bernardin Clevecy, Asda, Jaume, *Procurator of the Commune.*

. . . . .

David. I move that, in the name of the nation, the president of the Convention give a fraternal kiss to the two citizen deputies from Nice.

(The Convention decrees this motion in the midst of applause which is prolonged during the entire time of the carrying out of the decree.)

(The two deputies thereupon take their places by the side of the president.)

(The Convention then decrees that all these acts shall be mentioned in the formal minute, a copy of which shall be sent to the citizens of the town and county of Nice. It further orders that the address of the citizens of Nice and the reply of its president shall be printed and sent to the eighty-three departments and to the armies.)

Lequinio. I move that the wish of the citizens of Nice be acted upon at once.

Barère de Vieuzac. I applauded with lively interest the fraternal reception of the deputies of the former county of Nice, and I shared your eagerness to take up their request for union with the French Republic. But there is one observation which I think worthy of your respect for the sovereignty of peoples; it is that, before concerning ourselves with the accession, with the union of one people with another, it is essential,

d'avoir son vœu expressément et librement émis. Or, ce qu'on a lu à cette tribune, n'est que le vœu des députés des administrations provisoires de ce pays. Mais, d'après vous-mêmes, les administrateurs ne sont pas des représentants, et ne peuvent pas émettre le vœu des administrés. Sans doute les citoyens du pays de Nice sont dignes de la liberté, puisqu'ils abhorrent comme nous la noblesse et la royauté. Ainsi, avant de délibérer sur la réunion, que le peuple prononce, que le souverain émette son vœu; et le souverain n'est que dans les assemblées primaires, il n'est que là. . . .

Je demande, en conséquence, que la Convention nationale déclare qu'elle ne peut délibérer sur la réunion demandée par les députés des administrations provisoires du ci-devant comté de Nice, qu'après avoir connu le vœu exprès du peuple.

Delacroix. J'appuie la proposition de Barère, mais en attendant je demande le renvoi de l'adresse au Comité diplomatique.

(La Convention ferme la discussion et déclare qu'elle ne peut délibérer sur la demande en réunion présentée par les députés des administrations provisoires du ci-devant comté de Nice, qu'après avoir connu le vœu exprès du peuple, émis librement dans les assemblées primaires. Elle renvoie, en attendant, l'adresse au Comité diplomatique.)

it is necessary, to have their expressed and freely uttered wish. Now what has been read at this tribune is only the desire of the deputies of the provisional administrative bodies of that country. But, according to you yourselves, administrators are not representatives and cannot utter the wishes of those for whom they administrate. Doubtless the citizens of the country of Nice are worthy of liberty, since they, like us, abhor nobility and royalty. So, before deliberating upon the union, let the people pronounce, let the sovereign express his wish; and the sovereign dwells only in the primary assemblies, he is there only. . . .

I demand, consequently, that the National Convention declare that it can deliberate upon the union asked by the deputies of the former county of Nice only after having learned the express wish of the people.

Delacroix. I support the proposition of Barère, but in the meantime I move that the address be sent to the Diplomatic Committee.

(The Convention closes the discussion and declares that it can not deliberate upon the demand for union presented by the deputies of the provisional administrations of the former county of Nice, except after learning the express wish of the people, freely uttered in primary assemblies. In the meantime, the address is referred to the Diplomatic Committee.)

## *Address of the " National Assembly of the Allobroges " Asking for the Union of the People of Savoy with the French Republic. Presented to the National Convention, November* 21, 1792 [1]

Les citoyens Doppet, Favre, Dessaix et Villar, *députés du peuple Savoisien,* se présentent à la barre. . . .

Le citoyen Doppet, *lieutenant-colonel de la Légion allobroge et orateur de la députation,* s'exprime ainsi :

Représentants de la République française, nous avons été chargés par l'Assemblée nationale des Allobroges d'apporter le vœu de tous les Savoisiens à la Convention nationale de France. Nous avons été en même temps chargés par tous nos commettants de vous exprimer les sentiments de reconnaissance dont ils sont pénétrés envers la nation française, pour le bienfait, ou plutôt (car c'est un bienfait au-dessus de tous les autres) pour la liberté qu'elle leur a apportée. Dès que nous avons pu émettre notre vœu, nous avons renversé d'un seul coup le despotisme royal et la domination ultramontaine. Le peuple savoisien a exercé spontanément son droit de souveraineté. Dès que les troupes françaises se furent retirées pour se porter vers Genève, on convoqua une assemblée générale du peuple. Toutes les communes, au nombre de 655, furent spontanément assemblées. Elles émirent d'abord leur vœu pour la réunion à la France; mais outre cela, elles nommèrent chacune un député pour se rendre à l'assemblée

Citizens Doppet, Favre, Dessaix and Villar, *deputies of the Savoyard people,* present themselves at the bar. . . .

Citizen Doppet, *Lieutenant-Colonel of the Legion of the Allobroges and spokesman for the deputation,* expresses himself as follows:

Representatives of the French Republic, we have been charged by the National Assembly of the Allobroges with the duty of carrying the vote of all the Savoyard people to the National Convention of France. We have at the same time been instructed by all our constituents to express to you the sentiments of gratitude which they feel towards the French nation, for the benefit, or rather (for it is a benefit above all others) for the liberty which it has brought to them. Since giving expression to our wish, we have with one stroke overthrown royal despotism and ultramontane domination. The people of Savoy have spontaneously exercised their right of sovereignty. As soon as the French troops had retired towards Geneva, a general popular assembly was convoked. All the communes, to the number of 655, were assembled spontaneously. They first expressed their wish for union with France; furthermore, each of them elected a deputy to repair to the General Assembly, which was to meet at Chambéry on the

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[1] *Arch. parl.,* 1st series, vol. 53, p. 506.

générale, qui eut lieu à Chambéry, le 21 octobre dernier. Dans la première séance de cette assemblée générale des deputés du peuple savoisien, on vérifia les pouvoirs qu'ils avaient reçus de leurs communes respectives. Voici le procès-verbal de la seconde séance, qui fait connaître quel est le vœu de toutes les communes des Allobroges.

21st of October last. At the first session of this assembly of the deputies of the Savoyard people, the powers which they had received from their respective communes were verified. Here is the formal minute of the second session, which will make known what is the wish of all the communes of the Allobroges.

### *Extract from the Minute of the Second Session of the Assembly of the Deputies of the Communes of Savoy, October 22, 1792, the Year I of the Republic*

Séance ouverte à 9 heures du matin.

Eustache Monachon, *président d'âge,* occupe le fauteuil.

La séance a été ouverte par la lecture du procès-verbal de la précédente. On a fait successivement à la tribune lecture des rapports des commissaires de chaque bureau sur la vérification des pouvoirs à laquelle ils avaient procédé la veille.

De ces divers rapports, il résulte que, dans la province de Carouge, composée de 64 communes, 42 ont voté pour la réunion à la République française dans les pouvoirs qu'elles ont remis à leurs députés; que 21 ont donné des pouvoirs illimités à leurs députés, et qu'une seule n'a pas fait connaître ses sentiments. Toutes les communes de la province de Chablais, au nombre de 95, ont unanimement manifesté, dans les pouvoirs remis à leurs députés, leurs désirs d'être ré-

The session was opened at 9 A. M.

Eustache Monachon, *president by virtue of seniority,* occupies the chair.

The session is opened with the reading of the formal minutes of the previous session. The reports of the commissioners of each committee on the verification of powers, which has been begun the day before, are read in turn from the tribune.

From these several reports it results that, in the Province of Carrouge, composed of sixty-four communes, forty-two have voted for union with the French Republic in the powers which they have given to their deputies; twenty-one have given to their deputies unlimited powers, and one only has failed to make known its sentiments. All the communes of the Province of Chablais, to the number of ninety-five, have unanimously shown, in the pow-

unies à la nation française; la majorité de ces députés avaient des pouvoirs illimités. Celles de la province de Faucigny, au nombre de 79, ont toutes, dans leurs pouvoirs, émis le vœu d'être réunies à la nation française, pour en faire partie intégrante. Les 116 communes de la province du Genevois ont toutes chargé leurs députés de demander l'incorporation à la nation française; la très grande majorité a donné à ses députés le pouvoir de représenter, délibérer et arrêter tout ce qui serait utile pour le bien public et pour l'établissement de la liberté et de l'égalité savoisienne. Les communes de la province de Maurienne qui sont au nombre de 65, ont toutes manifesté, dans leurs pouvoirs donnés à leurs députés, leurs désirs d'être réunies à la République française, sauf celles de *Lansvillard, Bessan* et *Bonneval,* qui n'ont pu faire connaître leurs vœux, lors des assemblées des communes, parce que leur territoire était encore occupé par des soldats piémontais. Des 204 communes qui composent la province de Savoie, une seule a émis son vœu pour former une république particulière; les autres ont exprimé leur vœu de réunion à l'Empire français. Des 62 communes formant la province de Tarentaise, treize ont voté pour l'incorporation à la République française; les autres avaient toutes donné, par leurs mandats à leurs députés, le pouvoir de choisir et adopter pour elles le gouvernement que l'assemblée des députés jugerait le plus convenable à la nation savoisienne.

ers given to their deputies, their desire to be united to the French nation; the majority of these deputies had unlimited powers. Those of the Province of Faucigny, to the number of seventy-nine, have all expressed in their powers the wish to be united to the French nation, in order to form an integral part of it. The 116 communes of the Province of Genevois have all instructed their deputies to ask for incorporation in the French nation; the great majority have given their deputies the power of representation, deliberation and decision as to all matters for promoting the public welfare and the establishment of liberty and equality in Savoy. The communes of the Province of Maurienne, which number sixty-five, have all, in the powers given to their deputies, manifested their desire to be united with the French Republic, with the exception of those of *Lansvillard, Bessan* and *Bonneval,* which were not able to make their wishes known, at the time of the communal assemblies, because their territory was still occupied by Piedmontese soldiers. Of the 204 communes of which the Province of Savoy is composed, one only has expressed a wish to form an independent republic; the others have expressed their wish for union with the French Empire. Of the sixty-two communes forming the Province of Tarentaise, thirteen have voted for incorporation with the French Republic, the others had all, in the mandates to their deputies, given them the

La lecture de ces rapports a été souvent interrompue par les applaudissements de l'assemblée et des tribunes; ils ont été déposés sur le bureau. Il a été arrêté que les pouvoirs que chaque député avait reçus de sa commune, y seraient également déposés pour être conservés dans les Archives, et servir éternellement de preuve de l'attachement du peuple savoisien au gouvernement républicain des Français.

Nous, président et secrétaires, déclarons le présent extrait conforme à l'original.

Signé: J. Decret, *président;* F. Chastel, F. Favre, Gumery, Hacquier, *secrétaires.*

En attendant que la Convention nationale de France eût prononcé sur notre demande, l'Assemblée nationale crut qu'il était important d'exercer promptement la souveraineté du peuple savoisien. Son premier décret fut l'abolition de la royauté. Elle protesta contre les soi-disant droits de la ci-devant maison de Savoie; elle annula tous ceux qu'elle pouvait encore réclamer; ensuite elle décréta une adresse à la Convention nationale de France, dans laquelle sont exprimés les sentiments de tous les Allobroges. Législateurs, on va vous en donner lecture.

. . . . .

power to choose, and by their own action to adopt whatever form of government the Assembly of Deputies should consider to be the most suited to the Savoyard nation.

The reading of these reports was often interrupted by the applause of the Assembly and of the galleries; they were placed on the table. It was determined that the powers received by each deputy from his commune should be likewise deposited, to be preserved in the archives and to serve as a perpetual proof of the attachment of the Savoyard people to the republican Government of France.

We, the President and Secretaries, declare that the present extract is an accurate copy of the original.

(Signed) J. Decret, *President;* F. Chastel, F. Favre, Gumery, Hacquier, *Secretaries.*

In waiting for the National Convention of France to pronounce on our request, the National Assembly believed that it was important to exercise promptly the sovereignty of the Savoyard people. Its first decree was the abolition of royalty. It protested against all the pretended rights of the former House of Savoy; it annulled all those which could still be claimed; it thereupon decreed an address to the National Convention of France, in which are expressed the sentiments of all the Allobroges. Legislators, this will now be read to you.

. . . . .

### Liberté, Egalité

*L'assemblée nationale des Allobroges, à la Convention nationale de France.*

" Législateurs, le soleil bienfaisant de la Liberté vient enfin, par ses douces influences, de dissiper les nuages épais de la tyrannie et du despotisme qui infestaient notre atmosphère: nos tyrans, aussi lâches qu'ils ont été cruels, n'ont pu soutenir l'aspect redoutable du drapeau tricolore; ils ont fui, et pour jamais ont délivré de leur odieuse présence une terre trop longtemps abreuvée des maux émanés d'un sceptre de fer. Les Savoisiens, pénétrés de la reconnaissance la plus vive, prient l'auguste Assemblée d'en recevoir les témoignages; nos hommages, législateurs, ne sont pas dictés par ces organes corrompus de l'ancien régime: ce sont des hommes libres qui vous les présentent et qui sentent toute la dignité de leur nouvelle existence.

. . . . .

" Vous nous avez laissés les maîtres de nous donner des lois, nous avons agi. La nation savoisienne, après avoir déclaré la déchéance de Victor-Amédée et de sa postérité, la proscription éternelle des despotes couronnés, s'est déclarée libre et souveraine. C'est du sein de cette Assemblée qu'est émis le vœu unanime d'être réunis à la République française, non par une simple alliance, mais par une union indissoluble, en formant partie intégrante de l'Empire français.

### Liberty, Equality

*The National Assembly of the Allobroges, to the National Convention of France.*

" Legislators: the beneficent sun of liberty, has at last, by its gentle influence, succeeded in dispersing the thick mists of tyranny and despotism, which infested our atmosphere: our tyrants, as cowardly as they have been cruel, have not been able to bear the redoubtable sight of the tricolor flag; they have fled, and have forever delivered from their odious presence a land too long overwhelmed with evils arising from an iron sceptre. The Savoyards, filled with the deepest gratitude, request the august Assembly to receive the proofs thereof; our homage, Legislators, is not dictated by those corrupt organs of the old régime: these are free men who present homage to you, and who feel all the dignity of their new existence.

. . . . .

" You have made us masters over our own lawmaking, we have acted. The Savoyard nation, having declared the deposition of Victor Amadeus and his descendants, and the perpetual proscription of crowned despots, has declared itself free and sovereign. It is from the bosom of this Assembly that the unanimous wish has been expressed to be united with the French Republic, not by a simple alliance, but by an indissoluble union, forming an integral part of the French Empire.

" Législateurs, ce n'est point une Assemblée d'esclaves tremblants à l'aspect des fers qu'ils viennent de quitter, qui vous supplient de la prendre sous votre protection : c'est un souverain, admirateur de votre gloire, demandant à en faire réfléchir sur lui quelques rayons. . . .

" Fait à l'Assemblée nationale des Allobroges, séante à Chambéry, le 27 octobre, l'an 1er de la République.

" *Signé:* Doppet, *vice-président;* Favre, *secrétaire;* Villar, *membre du comité de rédaction.*"

Villar. Citoyens, nous allons maintenant vous faire connaître nos pouvoirs. Les voici :

### Pouvoirs

" L'Assemblée nationale des Allobroges donne pouvoir aux citoyens Doppet, Favre, Dessaix et Villar, qu'elle a députés auprès de la Convention nationale des Français, et aux citoyens Gumery, Bard et Balmain, leurs suppléants, en cas d'empêchement, de lui présenter l'adresse qui lui sera remise et de lui énoncer le vœu qu'a formé la nation qu'elle représente d'être unie à la République française et d'en former partie intégrante. Elle charge expressément les députés de soliciter l'acte solennel d'adhésion de la Convention nationale des Français à l'incorporation demandée et de faire part à la commission provisoire d'administration de l'exécution de leur mission et des réponses qui leur seront faites et d'en-

" Legislators, it is not an Assembly of slaves trembling at the sight of the fetters which they have just discarded, who beg you to take them under your protection : it is a sovereign admiring your glory and asking to have some rays of that glory reflected on himself. . . .

" Done in the National Assembly of the Allobroges, in session at Chambéry, October 27, the Year I of the Republic.

" (Signed) Doppet, *Vice-President;* Favre, *Secretary;* Villar, *Member of the editorial committee.*"

Villar. Citizens, we shall now acquaint you with our powers. They are these :

### Powers

" The National Assembly of the Allobroges empowers Citizens Doppet, Favre, Dessaix, and Villar, deputed by it to the National Convention of France, and Citizens Gumery, Bard and Balmain, their substitutes in case of inability to serve, to present to the Convention the address which shall be transmitted to it and to announce to it the desire felt by the nation for which the Assembly speaks to unite with the French nation and to form an integral part of it. The Assembly expressly instructs the deputies to beg from the National Convention of the French people its solemn adhesion to the incorporation requested, and to inform the Provisional Administrative Commission of the execution of their mission and of the

tretenir avec elle une correspondance exacte: le tout en conformité des déterminations prises dans les seconde et dernière séances de l'Assemblée nationale des 22 et 29 octobre dont les extraits des procès-verbaux seront joints au présent, signés par le président et les secrétaires.

" Fait à l'Assemblée nationale des Allobroges, séante à Chambéry, le 29 octobre 1792, l'an 1er de la République.

" *Signé:* J. Decret, *président;* Chastel, Gumery, F. Favre, Hacquier, *secrétaires.*"

responses which shall be made to them, and to carry on a detailed correspondence with it: all of this in conformity with the decisions made at the second and last session of the National Assembly of the 22d and 29th of October, of which extracts from the formal minutes, signed by the President and the secretaries, shall be annexed to the present document.

" Done in the National Assembly of the Allobroges, in session at Chambéry, October 29, 1792, the Year I of the Republic.

"(Signed) J. Decret, *President;* Chastel, Gumery, F. Favre, Hacquier, *Secretaries.*"

### *Decree of the French National Convention Uniting Savoy to France. November 27, 1792* [1]

La Convention nationale, après avoir entendu le rapport de ses comités de constitution et diplomatique, et avoir reconnu que le vœu libre et universel du peuple souverain de la Savoie, émis dans les assemblées des communes, est de s'incorporer à la République française; considérant que la nature, les rapports et les intérêts respectifs rendent cette union avantageuse aux deux peuples, déclare qu'elle accepte la réunion proposée, et que, dès ce moment, la Savoie fait partie intégrante de la République française.

Art. 1er. La Convention nationale décrète que la Savoie formera pro-

The National Convention, having heard the report of its Diplomatic Committee and the Committee on the Constitution, and having recognized that the free and universal wish of the sovereign people of Savoy, expressed in communal assemblies, is for incorporation in the French Republic, and considering that nature as well as their relations and respective interests render this union advantageous to the two peoples, declares that it accepts the union proposed and that, from this moment, Savoy forms an integral part of the French Republic.

Article 1. The National Convention decrees that Savoy shall form, visoirement un quatre-vingt-quatrième département, sous le nom de département du Mont-Blanc.

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[1] Duvergier, *Collections,* vol. 5, p. 59.

2. Les assemblées primaires et électorales se formeront incessament, suivant la forme des lois établies, pour nommer leurs députés à la Convention nationale.

3. Ce département aura provisoirement une représentation de dix députés à la Convention nationale.

4. Il sera envoyé, dans le département du Mont-Blanc, quatre commissaires pris dans le sein de la Convention nationale, pour procéder à la division provisoire et à l'organisation de ce département en districts et en cantons. Ces commissaires seront nommés par la voie du scrutin.[1]

. . . . .

provisionally, an eighty-fourth department, under the name of the Department of Mont-Blanc.

2. The primary and electoral assemblies shall at once convene, according to the manner provided by law, in order to elect their deputies to the National Convention.

3. This department shall have a provisional representation of ten deputies to the National Convention.

4. Four Commissioners, who shall be chosen from the members of the National Convention, shall be sent to the Department of Mont Blanc, to proceed to the provisional division and to the organization of this department into districts and cantons. These commissioners shall be elected by ballot.

. . . . .

## *Decree of Union with France passed by "the National Assembly of the Colons Marseillais" of Nice. January* 4, 1793 [2]

LIBERTÉ, EGALITÉ

*Décret de la Convention nationale des colons marseillais, du* 4 *janvier* 1793, *l'an* II *de la République française.*

L'Assemblée composée des représentants des huit sections de la ville et territoire de Nice, et des communes de Saint-Agnès, Escarène, Aspromont, Roquette et Saint-Martin, Contes, Château-neuf, Tourrettes, Roque-

LIBERTY, EQUALITY

*Decree of the National Convention of the Colonists of Marseilles, January* 4, 1793, *the year II of the French Republic.*

The Assembly, composed of the representatives of the eight districts of the city and territory of Nice, and of the Communes of Saint-Agnès, Escarène, Aspromont, Roquette and Saint-Martin, Contes, Château-neuf, Tour-

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[1] Articles 5, 6 and 7 are omitted. They deal with questions of the customs, boundaries, etc.

[2] *Arch. parl.*, 1st series, vol. 57, p. 61. This decree was read before the Convention on January 15.

Esteron à gauche de la rivière, Villefranche, Peillon, Saint-André, Bouson, Saint-Antonin, Eza, Gillette, Gorbio, Falicon, Toët, Lévens, etc., après avoir entendu la lecture des procès-verbaux de leurs respectives sections et communes, qui constatent l'élection libre et légale des susdits membres, et l'autorité et les pouvoirs amples et illimités, qui leur ont été transmis et après avoir prêté successivement le serment d'être fidèle à la nation, de maintenir la liberté et l'égalité, et de mourir en les défendant, se rappelant avec indignation les injustes provocations du ci-devant despote, connu sous les nom de roi de Sardaigne, et de ses satellites, faites à la nation française qui s'était déclarée amie de l'homme; se rappelant avec douleur les vexations inquisitoriales, sénatoriales, préfectorales, militaires et arbitraires exercées envers le peuple niçois qu'elle représente; se rappelant en outre toutes les tyrannies, usurpations et injustices faites à ce même peuple, tant par le susdit despote, que par tous ses adhérents, qu'il salariait de la sueur du pauvre; se rappelant encore les inhumanités commises envers tous ceux qui n'avaient pas acheté des titres, et de l'insolence insupportable des ci-devant nobles, qu'il n'a jamais cherché de réprimer, même après que les principes de liberté et d'égalité ont été propagés par la nation française; et se rappelant enfin la lâcheté avec laquelle il a abandonné à la plus affreuse anarchie un peuple, auquel il avait promis la conservation des propriétés et la sûreté des personnes;

rettes, Roque-Esteron on the left bank of the river, Ville-franche, Peillon, Saint-André, Bouson, Saint-Antonin, Eza, Gillette, Gorbio, Falcion, Toët, Lévens, etc., after having heard the reading of the formal minutes of their respective districts and communes, which attest the free and legal election of the members aforesaid, and the authority and full and unlimited powers which have been bestowed on them, having taken, each in turn, the oath to be faithful to the nation and to the maintainance of liberty and equality, and to die in defending them; recalling with indignation the unjust provocations which the former despot, known under the title of King of Sardinia, and his satellites have offered to the French nation which had declared itself the Friend of Man; recalling with sorrow the inquisitorial, senatorial, prefectorial, military and arbitrary annoyances against the people of Nice whom the Assembly represents; recalling moreover, all the tyrannies, usurpations and injustices done to this same people, both by the despot aforesaid and by all his adherents whom he paid from the sweat of the poor; recalling the inhuman acts committed against all those who have not bought titles, and the unbearable insolence of the former nobles, whom he never sought to repress, even after the principles of liberty and equality were proclaimed by the French nation; and recalling, finally, the cowardliness with which he abandoned to the most frightful

après avoir mis tout en usage pour lui inspirer de l'aversion et une haine implacable contre les Français qui s'étaient déclarés libres, et avoir usé de tous les moyens pour le compromettre, et l'exposer à leur vengeance, déclare unanimement, au nom du même peuple niçois qu'elle représente, la déchéance perpetuelle du ci-devant comte de Nice, Victor-Amédée troisième, soi-disant roi de Sardaigne, et de toute sa descendance, et prête le serment solennel de ne plus reconnaître à l'avenir d'autre autorité que celle du peuple, ou librement émanée de lui-même; comme le seul souverain légitime, décrétant en même temps l'abolition de tous les titres, privilèges et prérogatives quelconques, comme contraires à l'égalité de l'homme, ces distinctions n'ayant été créées que par le despotisme et l'aristocratie proscrits par les droits imprescriptibles et inaliénables de l'homme, desquels elle déclare ne pouvoir point s'écarter sans commettre la plus noire des injustices, et sans s'arroger une autorité qu'elle ne peut acquérir en aucune manière.

L'Assemblée pénétrée d'autre part d'admiration et de reconnaissance envers la nation française, franche et généreuse, qui a rétabli le peuple niçois dans tous ses droits; considérant que ce même peuple est libre, indépendant, et dont la souveraineté doit être représentée par les membres, auxquels il

anarchy a people to whom he had promised the preservation of property and the protection of persons, after having done everything to inspire in them implacable aversion and hatred against the French who had declared themselves free, and having employed every means to compromise the people and to expose them to their vengeance, declares unanimously, in the name of these people of Nice whom it represents, the perpetual deposition of the former Count of Nice, Victor Amadeus III, so-called King of Sardinia, and of all his descendants, and takes a solemn oath never to recognize any other authority in future than that of the people, or such authority as has been freely delegated by them, decreeing at the same time, in its capacity as sole legitimate sovereign, the abolition of all titles, privileges and prerogatives whatsoever, as being contrary to the equality of man, these distinctions having been created only by despotism and by the aristocracy prescribed by the imprescriptible and inalienable rights of man, which the Assembly declares can never be discarded without committing the blackest of injustices, and without assuming an authority which it can not acquire in any way whatever.

The Assembly, actuated on the other hand by admiration and gratitude for the frank and generous French nation, which has restored the people of Nice to all their rights, considering that this same people is free and independent and that its sovereignty should be represented by those

a donné toute sa confiance, et ses pouvoirs, déclare s'être constituée en Convention nationale des colons marseillais, pour rappeler à tous les peuples l'origine de celui qu'elle représente, et à l'effet de traiter par elle-même, ou par les députés, que la grande majorité du peuple a nommé, la réunion de la ville de Nice, et le ci-devant comté à la République française avec la Convention nationale, au cas que la demande qui lui sera faite de cette réunion par les susdits députés, déjà munis du vœu du peuple, soit reconnue insuffisante; et pour pourvoir à toutes les places d'administration, juges du tribunal et autres, et faire généralement tout ce que le peuple réuni aurait droit de faire lui-même.

Ladite Convention nationale des colons marseillais décrète, en conséquence avoir chargé comme elle charge expressément les citoyens Blanqui et Veillon, députés auprès de ladite Convention nationale de France, premièrement par les corps administratifs réunis provisoires de la ville et ci-devant comté de Nice, et successivement par la très grande majorité des communes, pour présenter, au nom du peuple niçois ou des colons marseillais, le vœu librement émis par le même peuple dans ses assemblées primaires, et que l'assemblée et ses représentants vient de confirmer, leur donnant à ces députés tout pouvoir et autorité nécessaires pour solliciter auprès de ladite Convention nationale

members to whom it has given its confidence and its powers, declares itself to be constituted as the National Convention of the Colonists of Marseilles in order to recall to all peoples the origin of the people it represents; and for the purpose of treating with the National Convention either for itself or by the deputies named by the great majority of the people, regarding the union of the City of Nice and the former County to the French Republic, if the request which it has made for this union, through the aforesaid deputies, already provided with proof of the wish of the people, is considered to be insufficient; and in order to provide for all offices of administration, judges of courts and others, and, in general, to do all that a people assembled would have the right to do for itself.

The said National Convention of the Colonists of Marseilles decrees, in consequence, that it has appointed and expressly appoints the citizens Blanqui and Veillon, delegated to the said National Convention of France, firstly by the assembled Provisional Administrative Bodies of the City and former County of Nice, and later by the great majority of the communes, to present, in the name of the people of Nice or of the Colonists of Marseilles, the wish freely expressed by that same people in its primary assemblies, and which has just been confirmed by the assembly and its representatives, giving to those deputies all power and authority necessary to solicit from the said National Con-

l'agrément de ce vœu, et obtenir d'elle la réunion si désirée à la République française, pour laquelle le peuple niçois ne cesse de soupirer.

L'Assemblée décrète, en outre, que l'extrait de la présente délibération sera envoyé auxdits députés, et qu'elle sera incessamment imprimée pour qu'un exemplaire soit également envoyé dans toutes les communes du peuple des colons marseillais, aux Allobroges nos frères, aux Belges, dans toutes les places où la nation française a porté ses armes, dans les villes et villages du Piémont, et de la Sardaigne pour leur inspirer le désir de suivre l'exemple des Allobroges, et le nôtre, et finalement un autre exemplaire au despote turinois pour l'assurer des dispositions que l'on prend pour le détrôner.

A Nice, et dans la salle des séances de ladite Convention nationale des colons marseillais, le quatre janvier mil sept cent quatre-vingt-treize, l'an second de la République française.

Signé: Louis Villiers, *présidente;* Clerici, *secrétaire;* Gastaud, *secrétaire.*

*Collationné avec l'original,*
Pour l'Assemblée:
Gastaud, *secrétaire.*

vention the granting of this wish, and to obtain from it the union with the French Republic, so deeply desired and for which the people of Nice do not cease to long.

The Assembly decrees, moreover, that the copy of the present deliberation shall be sent to the said deputies, and that it shall be printed immediately in order that copies may also be sent to all the communes of the people of the Colonists of Marseilles, to our brothers the Allobroges, to the Belgians, in all places where the French nation has carried its arms, in the towns and villages of Piedmont, and of Sardinia in order to inspire in them the desire to follow the example of the Allobroges and ours, and, finally, another copy shall be sent to the Turin despot to acquaint him with the measures taken to dethrone him.

Done at Nice, in the meeting hall of the said National Convention of the Colonists of Marseilles, January fourth, seventeen hundred and ninety three, the second year of the French Republic.

(Signed) Louis Villiers, *President;* Clerici, *Secretary;* Gastaud, *Secretary.*

(*Compared with the original,*)
For the Assembly:
Gastaud, *Secretary.*

## *Decree of the National Convention Uniting the County of Nice to the Territory of the French Republic. January* 31, 1793 [1]

La Convention nationale déclare, au nom du peuple français, qu'elle accepte le vœu librement émis par le peuple souverain du ci-devant comté de Nice dans ses assemblées primaires, et décrète, en conséquence, que le ci-devant comté de Nice fait partie intégrante de la République française;

Ordonne que le conseil exécutif provisoire prendra sur-le-champ les mesures nécessaires pour faire transporter les bureaux de douanes aux points limitrophes du territoire étranger;

Charge son comité de division de lui faire incessamment un rapport sur le mode d'organisation générale du ci-devant comté de Nice.

The National Convention declares, in the name of the French people, that it accepts the vote of the sovereign people of the former County of Nice, freely expressed in primary assemblies, and decrees, in consequence, that the former County of Nice forms an integral part of the French Republic;

Orders that the Provisional Executive Council shall take immediately the necessary measures to cause the customs houses to be moved to points on the frontiers of foreign countries:

Charges its Committee of Division to make an immediate report regarding the mode of general organization of the former County of Nice.

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[1] Duvergier, *Collection*, vol. 5, p. 130. *Arch. parl.*, 1st series, vol. 58, p. 102.

# THE BELGIAN COMMUNES AND THE RHINE VALLEY, 1793

## *Cambon Reports Regarding the Conduct to be Followed by the French Generals in the Countries Occupied by the Armies of the Republic. December* 15, 1792[1]

CAMBON, *au nom des Comités des finances, militaire et diplomatique.* Vous avez chargé trois de vos Comités de l'examen de plusieurs lettres des généraux commandant les armées qui sont actuellement sur territoire étranger.

. . . . .

Dumourier, en entrant dans la Belgique, a annoncé de grands principes de philosophie; mais il s'est borné à faire des adresses au peuple. Il a jusqu'ici tout respecté, nobles, privilèges, corvées, feodalité, &c. tout est encore sur pied; . . .

Le général a cru, d'après les instructions du conseil exécutif, devoir respecter sa souveraineté et son indépendance, ne pas lui imposer de contributions extraordinaires; lorsque ses convois passent à quelques barrières ou péages, ils y paient les droits ordinaires. Il a cru ne devoir pas même forcer les habitans à fournir des magasins et des approvisionnemens à nos armées. Ces principes philosophiques sont les nôtres; mais nous ne voulons pas, nous ne devons pas respecter les usurpateurs. Tous ceux qui jouis-

CAMBON, *in the name of the Committee on Finances, Military and Diplomatic Committees.* You have charged three of your committees with the examination of many letters from the generals commanding the armies now on foreign territory.

. . . . .

Dumourier, on entering Belgium, announced great philosophic principles; but he confined himself to making addresses to the people. Up to the present time, he has respected everything; nobles, privileges, forced labor, feudalism, &c., everything is still running; . . .

The General believed that, following the instructions of the executive council, he must respect its sovereignty and independence and not impose on it any extraordinary contributions; when its convoys pass through any barriers or toll-gates they pay the ordinary taxes. He thought that he must not even force the inhabitants to furnish stores and provisions to our armies. These philosophical principles are our own; but we do not wish, we ought not, to respect usurpers. All those who

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[1] *Moniteur Universel,* No. 353, December 18, 1792.

sent d'immunités et de privilèges, sont nos ennemis, il faut les détruire; autrement, notre propre liberté serait en péril. Ce n'est pas aux rois seuls que nous avons à faire la guerre; car s'ils étaient isolés, ce ne serait que dix ou douze têtes à faire tomber. Nous avons à combattre tous leurs complices, les castes privilégiées, qui, sous le nom des rois, rongent les peuples, et les oppriment depuis plusieurs siècles.

Vos Comités se sont donc dit: Tout ce qui dans les pays où vous portez les armes, existe en vertu de la tyrannie et du despotisme, est usurpation: car les rois n'avaient pas le droit d'établir des privilèges en faveur du petit nombre, au détriment du plus grand. . . .

Il faut donc que nous nous déclarions pouvoir révolutionnaire dans les pays où nous entrons. (*On applaudit.*) . . . L'aristocratie gouverne partout; il faut donc détruire toutes les autorités existantes. . . . Il faut que le système populaire s'établisse, que toutes les autorités soient renouvelées, ou vous n'aurez que des ennemis à la tête des affaires. Vous ne pouvez donc donner la liberté à un pays, vous ne pouvez y rester en sûreté, si les anciens magistrats conservent leurs pouvoirs; il faut absolument que les *Sans-Culottes* participent à l'administration. (*De nombreux applaudissements s'élèvent dans l'assemblée et dans les tribunes.*) . . .

En entrant dans un pays, quel doit être notre premier soin? c'est de prendre pour gage des frais de la guerre

are enjoying immunities or privileges are our enemies, they must be destroyed; otherwise our own liberty would be in peril. It is not upon kings alone that we have to make war; for if they were isolated, there would be but ten or a dozen heads to cut off. We have to fight all their accomplices, the privileged castes, who in the name of the kings, devour the people, and oppress them for many centuries past.

Your committees, therefore, said to themselves: All that exists by virtue of tyranny and despotism in the countries where you carry your arms, is usurpation; for kings have no right to establish privileges in favor of the few to the detriment of the larger number. . . .

It is therefore necessary that we declare the revolutionary power in the countries we enter. (*Applause.*) . . . Aristocracy is governing everywhere; therefore all existing authorities must be destroyed. . . . The popular rule must be established, all authorities must be renewed, or you will have only enemies at the head of affairs. You can not then give liberty to a country, you can not stay in it with safety, if the old magistrates keep their powers; it is absolutely necessary that the *Sans-Culottes* participate in the administration. (*Great applause in the Assembly and in the galleries.*) . . .

In entering into a country, what should be our first care? to take the possessions of our enemies as a les biens de nos ennemis; il faut donc mettre sous la sauvegarde de la Nation les biens meubles et immeubles appartenant au fisc, aux princes, à leurs fauteurs, adhérens, participes, à leurs satellites volontaires, à tous les complices de la tyrannie. (*On applaudit.*) Et pour qu'on ne se méprenne pas sur les intentions pures et franches de la République française, vos Comités ne vous proposent pas de nommer des administrateurs particuliers pour l'administration et la régie de ces biens; mais d'en confier le soin à ceux qui seront nommés par le peuple. Nous ne prenons rien, nous conservons tout pour les frais de la guerre.

Vous sentez qu'en accordant cette confiance aux administrateurs provisoires, vous aurez alors le droit d'en exclure tous les ennemis de la République qui tenteraient de s'y introduire. . . .

Ces précautions prises, vos Comités ont pensé qu'il ne fallait pas encore abandonner un peuple peu accoutumé à la Liberté absolument à lui-même; qu'il fallait l'aider de nos conseils, fraterniser avec lui; en conséquence que dès que les administrations provisoires seraient nommées, la Convention devait leur envoyer des commissaires tirés de son sein, pour entretenir avec elles des rapports de fraternité. Cette mesure n'est pas même suffisante. Les représentans du peuple sont inviolables; ils ne doivent jamais exécuter. Il faudra donc nommer

guarantee for the expenses of the war; therefore it is necessary to place in the custody of the nation the personal and landed property belonging to the public treasury, to princes, to their followers, adherents, and partisans, to their voluntary satellites, to all the accomplices of tyranny. (*Applause.*) And in order that there shall be no misunderstanding about the pure and honest intentions of the French Republic, your committees do not propose to you to name special administrators for the management and control of these possessions; but to confide the care of them to those who shall be named by the people. We take nothing, we keep everything for the expenses of the war.

You see that in granting this confidence to the provisional administrators, you will then have the right to exclude all enemies of the Republic who might attempt to introduce themselves there. . . .

These precautions taken, your committees thought that a people little accustomed to liberty should not yet be entirely abandoned to itself; that it was necessary to help it by our counsel, to fraternize with it; consequently, that as soon as the provisional administrators should be named, the Convention ought to send to them commissioners chosen from its own body, to form with them fraternal relations. This measure, even, is not enough. The representatives of the people are inviolate; they must never be executive. It is therefore neces-

aussi des exécuteurs. Vos Comités ont donc pensé que le conseil exécutif devait envoyer de son côté des commissaires nationaux qui se concerteront avec les administrations provisoires pour la défense du pays nouvellement affranchi, pour assurer les approvisionnemens et la subsistance de nos armées, et enfin se concerter sur les moyens qu'il y aura à prendre pour payer les dépenses que nous aurons faites ou que nous ferons sur leur territoire.

Vous devez penser qu'au moyen de la suppression des contributions anciennes, les peuples affranchis n'auront point de revenus; ils auront recours à vous, et le Comité des finances croit qu'il est nécessaire d'ouvrir le trésor public à tous les peuples qui voudront être libres. Quels sont nos trésors? Ce sont nos biens territoriaux, que nous avons réalisés en assignats. Conséquemment, en entrant dans un pays, en supprimant ses contributions, et lui offrant une partie de nos trésors pour l'aider à reconquérir sa liberté, nous lui offrirons notre monnaie révolutionnaire. (*On applaudit.*) Cette monnaie deviendra la sienne; nous n'aurons pas besoin alors d'acheter à grands frais du numéraire, pour trouver, dans le pays même, des habillemens et des vivres; un même intérêt réunira les deux peuples pour combattre la tyrannie. Dès lors nous augmenterons notre propre puissance, puisque nous aurons un moyen d'écoulement pour diminuer la masse des assignats circulante en France, et que l'hypothèque que fourniront les biens

sary to name executors also. Your committees, therefore, thought that the Executive Council should on its part send national commissioners who would arrange with the provisional administrators for the defence of the newly enfranchised country, for the assurance of supplies and subsistence for our armies, and finally to concert measures that will have to be taken for paying the expenses that we shall have incurred or that we will incur on their territory.

You must reflect that because of the suppression of the former taxes the enfranchised peoples will have no revenues; they will have recourse to you, and the Committee on Finances thinks it is necessary to open the public treasury to all peoples who wish to be free. What are our resources? They are our territorial possessions, which we have realized in *assignats*. Consequently, in entering into a country, in suppressing its taxes, and offering to it a part of our resources to aid it in reconquering its liberty, we are offering it our revolutionary money. (*Applause.*) This money will become its own; we shall not then have need to buy at great expense of cash, in order to find clothing and food in the country itself; a common interest will unite the two peoples to fight tyranny. From that moment we shall increase our own power, since we shall have a channel to diminish the mass of *assignats* circulating in France, and the mortgage furnished by the property placed in the custody of the Republic

mis sous la sauvegarde de la République augmentera le crédit de ces mêmes assignats.

will increase the credit of these same *assignats.*

. . . . . . . . . .

## *Decree by which France Proclaims the Liberty and Sovereignty of all the Peoples to whom she has Carried or shall Carry her Arms, and Prescribes the Conduct of her Generals. December* 15 *and* 17, 1792[1]

La Convention nationale, après avoir entendu le rapport de ses comités des finances, de la guerre et diplomatique réunis; fidèle aux principes de la souveraineté du peuple, qui ne lui permet pas de reconnaître aucune des institutions qui y portent atteinte, et voulant fixer les règles à suivre par les généraux des armées de la République dans les pays où ils porteront les armes, décrète:

ART. 1$^{er}$. Dans les pays qui sont ou seront occupés par les armées de la République, les généraux proclameront sur-le-champ, au nom de la nation française, la souveraineté du peuple, la suppression de toutes les autorités établies, des impôts ou contributions existans, l'abolition de la dîme, de la féodalité, des droits seigneuriaux, tant féodaux que censuels, fixes ou casuels, des banalités, de la servitude réelle et personelle, des privilèges de chasse et de pêche, des corvées, de la noblesse, et généralement de tous les privilèges.

2. Ils annonceront au peuple qu'ils lui apportent paix, secours, fraternité,

The National Convention, having heard the joint report of its Committees of Finance, War and Diplomacy; faithful to the principles of popular sovereignty, which do not permit it to recognize any of the institutions which threaten these principles, and desiring to fix the rules to be followed by the generals of the armies of the Republic in the countries where they shall carry its arms, decrees:

ARTICLE 1. In the countries which are or shall be occupied by the armies of the Republic, the generals shall immediately proclaim, in the name of the French nation, the sovereignty of the people, the suppression of all established authority, existing imposts or taxes, the abolition of the tithes, of feudal tenure, of seigniorial rights, both feudal tax and poll tax, fixed or unfixed, of socage payments, of real and personal servitude, of the privileges of hunting and fishing, of statute-labor, of nobility, and of all privileges in general.

2. They shall announce to the people that they bring to them peace, suc-

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[1] Duvergier, *Collection,* vol. 5, p. 82.

liberté et égalité, et ils le convoqueront de suite en assemblées primaires ou communales, pour créer et organiser une administration et une justice provisoire; ils veilleront à la sûreté des personnes et des propriétés; ils feront imprimer en langue ou idiome du pays, afficher et exécuter sans délai, dans chaque commune, le présent décret et la proclamation y annexée.

3. Tous les agens et officiers civils ou militaire de l'ancien gouvernement, ainsi que les individus ci-devant réputés nobles, ou membres de quelques corporations ci-devant privilégiés, seront, pour cette fois seulement, inadmissibles à voter dans les assemblées primaires ou communales, et ne pourront être élus aux places d'administration ou du pouvoir judiciaire provisoire.[1]

4. Les généraux mettront de suite sous la sauvegarde et protection de la

cor, fraternity, liberty, and equality, and they shall at once convoke them in primary or communal assemblies, to create and organize a provisional administrative and judicial system; they shall care for the safety of persons and of property; they shall cause the present decree and the proclamation annexed to be printed in the language or the idiom of the country, and to be posted and put in execution without delay in each commune.

3. All the agents and officers, civil or military, of the former government, as well as the individuals formerly considered noble, or members of any corporations hitherto privileged shall be, for the time only, excluded from voting in the primary or communal assemblies, and may not be elected to office in the provisional administration or in the provisional judicial bodies.[1]

4. The generals shall at once place under the care and protection of

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[1] Repealed by the Law of December 22, 1792,—" La Convention nationale rapporte l'art. 3 de son décret des 15 et 17 décembre courant, conçu en ces termes: 'Tous les agens et officiers civils ou militaires de l'ancien gouvernement, ainsi que les individus ci-devant privilégiés, seront, pour cette fois seulement, inadmissibles à voter dans les assemblées primaires ou communales, et ne pourront être élus aux places d'administration et de pouvoir judiciaire provisoire'; et elle décrète que nul ne pourra être admis à voter dans les assemblées primaires et communales, et ne pourra être nommé administrateur ou juge provisoire, sans avoir prêté le serment à la liberté et à l'égalité, et sans avoir rénoncé par écrit aux privilèges et prérogatives dont l'abolition a été prononcée par le décret des 15 et 17, et dont il pourrait avoir joui";

(Translation): "The National Convention repeals Article 3 of its decree of December 15 and 17, which reads as follows: 'All the agents and officers, civil or military, of the former government, as well as the individuals formerly privileged, shall be, for this time only, excluded from voting in the primary or communal assemblies and may not be elected to office in the provisional administration or in the provisional judicial bodies,' and decrees that no one shall be allowed to vote in the primary and communal assemblies, nor nominated as administrator or provisional judge, without having taken the oath of liberty and equality, and without having renounced in writing those privileges and prerogatives whose abolition was pronounced by the Decree of the 15 and 17, and which they may have enjoyed." . . . (This was the provision as originally proposed by Cambon.)

République française tous les biens meubles et immeubles appartenant au fisc, au prince, à ses fauteurs, adhérens et satellites volontaires, aux établissements publics, aux corps et communautés laïques et ecclésiastiques; ils en feront dresser sans délai un état détaillé, qu'ils enverront au conseil exécutif, et prendront toutes les mesures qui sont en leur pouvoir, afin que ces propriétés soient respectées.

L'administration provisoire, nommée par le peuple, sera chargée de la surveillance et régie des objets mis sous la sauvegarde et protection de la République française; elle veillera à la sûreté des personnes et des propriétés; elle fera exécuter les lois en vigueur relatives au jugement des procès civils et criminels, à la police et à la sûreté publique; elle sera chargée de régler et faire payer les dépenses locales et celles qui seront nécessaires pour la défense commune; elle pourra établir des contributions, pourvu toutefois qu'elles ne soient pas supportées par la partie indigente et laborieuse du peuple.

6. Dès que l'administration provisoire sera organisée, la Convention nationale nommera des commissaires pris dans son sein pour aller fraterniser avec elle.

7. Le conseil exécutif nommera aussi des commissaires nationaux, qui se rendront de suite sur les lieux pour se concerter avec les généraux et l'administration provisoire nommée par le peuple, sur les mesures à pren-

the French Republic all the real and personal property belonging to the treasury, the prince, his agents, adherents and voluntary satellites, to the public establishments, to the bodies and communities, lay and ecclesiastical; they shall cause to be drawn up without delay a detailed statement of these, which they shall send to the Executive Council, and shall take all measures within their power to cause these properties to be respected.

The provisional administration, named by the people, shall be charged with the oversight and the administration of the objects put under the care and protection of the French Republic; it shall see to the safety of persons and property; it shall enforce the execution of the laws in force relating to civil and criminal trials, to police and public security; it shall be charged with the duty of regulating and causing to be paid the local expenses and those which shall be necessary for the common defence; it may establish taxes, provided, however, that they shall not be borne by the indigent and laboring class.

6. As soon as the provisional administration shall be organized the National Convention shall name commissioners, from its own number, to fraternise with it.

7. The Executive Council shall also name national commissioners, who shall at once repair to the spot to advise with the generals and the provisional administration named by the people, as to the measures to be

dre pour la défense commune, et sur les moyens employés pour se procurer les habillements et subsistances nécessaires aux armées, et pour acquitter les dépenses qu'elles ont faites et feront pendant leur séjour sur son territoire.

8. Les commissaires nationaux nommées par le conseil exécutif lui rendront compte, tous les quinze jours, de leurs opérations. Le conseil exécutif les approuvera, modifiera ou rejettera, et il en rendra compte de suite à la Convention.

9. L'administration provisoire nommée par le peuple et les fonctions des commissaires nationaux cesseront aussitôt que les habitans, après avoir déclaré la souveraineté et l'indépendance du peuple, la liberté et l'égalité, auront organisé une forme de gouvernement libre et populaire.

10. Il sera fait état des dépenses que la République française aura faites pour la défense commune, et des sommes qu'elle pourra avoir reçues, et la nation française prendra avec le gouvernement qui sera établi des arrangemens pour ce qui pourra être dû; et, au cas où l'intérêt commun exigerait que les troupes de la République restassent encore à cette époque sur le territoire étranger, elle prendra les mesures convenables pour les faire subsister.

11. La nation française déclare qu'elle traitera comme ennemi le peuple qui, refusant la liberté et l'égalité,

taken for the common defence and as to the means to be employed to procure the clothing and subsistence necessary for armies, and to provide payment for the expenses which they have incurred and shall incur during their sojourn in the territory.

8. The national commissioner named by the Executive Council shall render it an account of their operations, every fifteen days. The Executive Council shall approve, modify or reject them, and it shall report the result to the convention.

9. The provisional administration named by the people and the offices of national commissioner shall cease as soon as the inhabitants, after having declared the sovereignty and independence of the people, and their liberty and equality, shall have organized a free and popular form of government.

10. A statement shall be made of the expenses which the French Republic shall have incurred for the common defense and the service which it may have received, and the French nation shall agree with the government which shall be established as to the arrangements for paying the amount which may be due; and, in case the common interest should demand that the troops of the Republic should remain yet longer in the foreign territory, it shall take suitable measures for the provision for their sustenance.

11. The French Nation declares that it will treat as an enemy the people who, refusing liberty and equality

ou y renonçant, voudrait conserver, rappeler ou traiter avec le prince et les castes privilégiées; elle promet et s'engage de ne souscrire aucun traité, et de ne poser les armes qu'après l'affermissement de la souveraineté et de l'indépendance du peuple sur le territoire duquel les troupes de la République sont entrées, qui aura adopté les principes de l'égalité, et établi un gouvernement libre et populaire.

12. Le conseil exécutif enverra le présent décret par des courriers extraordinaires à tous les généraux, et prendra les mesures nécessaires pour en assurer l'exécution.

or renouncing it, should wish to preserve, recall or treat with the prince and the privileged classes; it promises and engages not to sign any treaty, nor to lay down its arms until after the consolidation of the sovereignty and independence of the people into whose territory the troops of the Republic have entered, who shall have adopted the principles of equality and have established a free and popular government.

12. The Executive Council shall forward the present decree by special messengers to all the generals, and shall take those measures necessary to assure its execution.

## *Form of Proclamation to be Made by the French Generals to the Peoples "Conquered for Liberty"*

LE PEUPLE FRANÇAIS AU PEUPLE. . . .

Frères et amis, nous avons conquis la liberté, et nous la maintiendrons. Nous offrons de vous faire jouir de ce bien inestimable qui nous a toujours appartenu, et que nos oppresseurs n'ont pu nous ravir sans crime.

Nous avons chassé vos tyrans; montrez-vous hommes libres, et nous vous garantirons de leur vengeance, de leurs projets et de leur retour.

Dès ce moment, la nation française proclame la souveraineté du peuple, la suppression de toutes les autorités civiles et militaires qui vous ont gou-

THE FRENCH PEOPLE TO THE PEOPLE OF: . . .

Friends and Brothers, we have conquered liberty, and we shall maintain it. We offer to you the enjoyment of this inestimable benefit which has always been our right, and of which our oppressors have not been able to deprive us except by crime.

We have chased away your tyrants; show yourselves to be free men, and we will guarantee you from their vengeance, their projects and their return.

From this moment the French nation proclaims the sovereignty of the people, the suppression of all the civil and military authorities which have vernés jusqu'à ce jour, et de tous les impôts que vous supportez, sous quelque forme qu'ils existent; l'abolition de la dîme, de la féodalité, des droits seigneuriaux, tant féodaux que censuels, fixes ou casuels, des banalités, de la servitude réelle et personnelle, des privilèges de chasse et de pêche, des corvées de la gabelle, des péages, des octrois, et généralement de toute espèce de contributions dont vous avez été chargés par vos usurpateurs; elle proclame aussi l'abolition parmi vous de toute corporation nobiliaire, sacerdotale et autres, de toutes les prérogatives et privilèges contraires à l'égalité. Vous êtes dès ce moment, frères et amis, tous citoyens, tous égaux en droits, et tous appelés également à gouverner, à servir et défendre votre patrie.

Formez-vous sur-le-champ en assemblées primaires ou de communes, hâtez-vous d'établir vos administrations et justices provisoires, en se conformant aux dispositions de l'article 3 du décret ci-dessus. Les agens de la République française se concerteront avec vous pour assurer votre bonheur et la fraternité qui doit exister désormais entre nous.

governed you until to-day, and all the imposts which you support, under whatever form they may exist; the abolition of the tithe, the feudal tenure, seigniorial rights, both feudal tax and poll tax, socage payments, real and personal servitudes, the privileges of hunting and fishing, statute labor and the salt tax, tolls, town dues, and in general all kinds of taxes imposed on you by your usurpers; it proclaims also the abolition among you of all noble bodies, priestly or otherwise, of all prerogatives and privileges contrary to equality. You are from this moment friends and brothers, all citizens, all equal in rights, and all called equally to govern, to serve and to defend your country.

Form yourselves at once in primary or communal assemblies, make haste to establish your provisional administrations and judicial systems, conforming them to the provisions of Article 3 of the above decree. The agents of the French Republic will advise with you in order to assure your welfare and the fraternity which should exist henceforth among you.

### *Protest of the Representative Assembly of Hainault against the Decree of December* 15. *Presented to the Convention, December* 23, 1792[1]

Représentants de la nation française, nous le disons avec orgueil, avec confiance, le peuple belgique est mûr

Representatives of the French Nation, we say it with pride, with confidence, the Belgian people are ripe for à la liberté. . . . Cependant une nation libre, une nation qui a consacré en Europe les principes sacrés de la liberté, qui professe qu'elle la respectera, qu'elle la protégera, qu'elle la propagera chez tous les peuples, en enlèverait aux Belges, en ce moment, l'exercice précieux; elle l'usurperait, ou plutôt elle le déléguerait par le droit de conquête à quelques individus, car comment appeler autrement ce pouvoir révolutionnaire étranger qu'elle nous annonce? Il sera à nos yeux, il sera aux yeux de l'Europe entière, le pouvoir de la force. . . . Généreux Français, nation fière et juste, rappelez votre décret du 15 décembre, ou vous nous parlez en vainqueurs, en maîtres, en souverains, lorsque de vous-mêmes vous décrétez la cessation des impôts et de nos revenus publics; que vous mettez sous votre main et que vous ordonnez la régie de nos biens nationaux; que vous prononcez, autrement que par notre organe, l'extinction de nos agrégations ou corporations politiques; que vous prescrivez même la confiscation des propriétés particulières, ce que nos anciens despotes n'osaient pas faire, lorsqu'ils nous déclaraient rebelles, et qu'ils nous traitaient en rebelles.

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[1] *Procès-verbaux des représentants du peuples souverain de Hainaut,* n° 31, du 21 décembre 1792. Borgnet, *Histoire des Belges,* vol. 2, p. 108.

liberty. . . . But a free nation, a nation which has consecrated in Europe the sacred principles of liberty, which professes to respect it, and to protect it and to spread it among all nations, would at this moment be depriving the Belgian people of its precious exercise; it would be usurping it, or rather be delegating it by right of conquest to certain individuals, for how otherwise can one describe this "revolutionary power" which has been proclaimed to us? It will be to our eyes and to the eyes of all Europe, the right of force. . . . Generous Frenchmen, nation proud and just, repeal your decree of December 15, where you speak as conquerors, masters, sovereigns, where you yourselves decree the abolition of taxes and public revenues; by which you put under your hand and decree the regulation of our national property, by which you pronounce, otherwise than through us, the extinction of our associations and political bodies; by which you even prescribe the confiscation of private property, which our former despots did not dare to do, when they were declaring us to be rebels and treating us as such.

### *Protest of the Representatives of the Sovereign People of the Country of Namur, December* 30, 1792 [1]

La calomnie seule, peut avoir arraché aux oracles de la loi, aux pro-

Calumny alone, . . . could have obtained from the oracles of law, the tecteurs des opprimés, aux restaurateurs des droits de l'homme, ce décret terrible pour nous. . . . Vos généraux, en entrant dans chacune des provinces belgiques, ont rendu hommage à cet enthousiasme des âmes belges; partout ils ont vu, ils ont reconnu, ils ont applaudi l'ivresse de la joie répandue sur tous les fronts; partout un peuple nombreux s'offrait sur leur passage, les comblait de félicitations, et ne cessait de témoigner tour à tour sa reconnaissance à ses libérateurs, et son attachement à la liberté et à l'égalité. Ces vœux pour la liberté et l'égalité s'étaient déjà annoncés d'une manière non équivoque dans le temps même où, gémissant encore sous le fer du despotisme, nous osions à peine lever les yeux vers le soleil qui avait fait éclore chez nous ces deux dons inappréciables. Tel est ce peuple, tels sont ses sentiments intimes, et c'est cette nation que l'on ose traduire, à la face de l'Europe, dans le sanctuaire d'où émanent les oracles de la liberté et de l'égalité, comme susceptible de sacrifier au despotisme le bien qui faisait depuis si longtemps le seul objet de ses brûlants désirs. . . . Ce n'est pas, législateurs, que votre décret ne contienne des vues sublimes, émanées de votre sagesse: nous sentons la hauteur des principes que vous y consacrez, mais après tout il est *injonctif;* nous ne pourrons jamais vous dire: Ce sont nos vues, ce sont nos principes; vous nous priveriez de la jouissance du caractère le plus sacré de la souveraineté et de la liberté, celui de n'obéir qu'à elle-même,

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[1] *Procés-verbaux des séances des représentants provisoires du peuple souverain du pays de Namur,* n° 25, du 30 décembre 1792. Borgnet, *Histoire des Belges,* vol. 2, p. 109.

protectors of the oppressed, the restorers of the rights of man, this decree so terrible for us. . . . Your generals on entering each Belgian province have done homage to the enthusiasm of the Belgian spirit; everywhere they have seen, recognized, applauded the intoxication of joy shown by everyone; everywhere crowds greeted them on their way, overwhelmed them with felicitations, and did not cease to bear witness to their gratitude to their deliverers, and their attachment to liberty and equality. These wishes for liberty and equality had been already announced in an unequivocal manner at the time when, still groaning under the yoke of despotism, we scarcely dared raise our eyes to the sun which had caused these inestimable gifts to be showered on us. These are the people, these are the innermost sentiments, and this the nation which, in the sanctuary whence come the oracles of liberty and of equality, one dares traduce before Europe as capable of sacrificing to despotism the good which had for so long been the sole object of their ardent desire! . . . It is not, legislators, that your decree does not contain sublime ideas, results of your wisdom; we appreciate the loftiness of the principles which you there consecrate, but after all it is imperative; we can never say to you: "These are our opinions, these are our principles." You would deprive us of the enjoyment of the most sacred attribute of sovereignty and liberty, that of obeying it alone,

celui de ne suivre que sa propre impulsion et de se devoir sa félicité et sa gloire. Vous fûtes, vous êtes jaloux de la vôtre, laissez-nous donc chérir aussi le bienfait que nous vous devons. . . .

of following its own impulse, and of owing to itself its happiness and its glory. You would be, you are jealous of your own, let us then also preserve the benefits which we owe to you.

### *Second Decree Regarding the Conduct of the Generals in those Countries where the Armies of France have Entered or shall Enter. January* 31, 1793[1]

La Convention nationale, informée que, dans quelques-uns des pays actuellement occupés par les armées de la République, l'exécution des décrets des 15, 17 et 22 décembre dernier a été arrêté, en tout ou en partie, par les ennemis du peuple coalisés contre sa souveraineté, décrète ce qui suit:

Art. 1er. Les décrets des 15, 17 et 22 décembre seront executés dans tous les lieux où les armées de la République sont entrées ou entreront à l'avenir.

2. Les généraux des armées de la République prendront toutes les mesures nécessaires pour la tenue des assemblées primaires ou communales, aux termes desdits décrets. Les commissaires envoyés par la Convention nationale pour fraterniser avec ces peuples pourront décider provisoirement toutes les questions qui s'élèveront relativement à la forme et aux opérations des assemblées, même en cas de réclamation sur la validité des élections. Ils veilleront particulière-

The National Convention, informed that, in some of the countries at present occupied by the armies of the Republic, the execution of the decrees of the 15, 17 and 22 of last December has been arrested, in whole or in part, by the enemies of the people, joined together against their sovereignty, decrees as follows:

Article 1. The decrees of December 15, 17 and 22 shall be executed in all the places where the armies of the Republic have entered or shall enter in the future.

2. The generals of the armies of the Republic shall take all the measures necessary for the holding of primary or communal assemblies, according to the terms of the said decrees. The commissioners sent by the National Convention to fraternize with these people may decide provisionally all the questions which arise relating to the form and operations of the assemblies, even in case of protests against the validity of elections. They shall exercise special care over

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[1] Duvergier, *Collection,* vol. 5, p. 130.

ment sur tout ce qui pourra assurer la liberté des assemblées et des suffrages.

3. Les peuples réunis en assemblées primaires ou communales sont invités à émettre leur vœu sur la forme du gouvernement qu'ils voudront adopter.

4. Les peuples des villes et territoires qui ne se seraient pas assemblés dans la quinzaine au plus tard après la promulgation tant des décrets des 15, 17 et 22 décembre dernier, si elle n'a pas été faite, que du présent décret, seront déclarés ne vouloir être amis du peuple français. La République les traitera comme les peuples qui refusent d'adopter ou se donner un gouvernement fondé sur la liberté et l'égalité.

5. Les trois commissaires de la Convention nationale dans la Belgique, le Hainaut, le pays de Liège et les pays voisins, qui sont venus rendre compte de leurs opérations à la Convention, se réuniront à leurs collègues, et partiront, savoir: Danton et Lacroix, immédiatement après le présent décret; Camus, dans la huitaine au plus tard. Ils pourront agir conjointement ou séparément, pourvu néanmoins qu'ils soient réunis au nombre de deux, et à la charge de donner connaissance, dans les vingt-quatre heures, de toutes leurs opérations à la Convention.

all that may insure the freedom of the assemblies and of the votes.

3. The peoples, convened in primary or communal assemblies, are invited to express their wish as to the form of government which they wish to adopt.

4. The people of the towns and territories who shall not have assembled within fifteen days, at the latest, after the promulgation of the decrees of December 15, 17 and 22, if such promulgation has not already been made, shall be declared to be not desirous of being friends with the French people. The Republic shall treat them as peoples who refuse to adopt or give themselves a government founded on liberty and equality.

5. The three commissioners of the National Convention in Belgium, Hainaut, the country of Liège and the neighboring countries, who have come to render an account of their operations to the Convention, shall join their colleagues, and shall depart as follows: Danton and Lacroix, immediately after the present decree, Camus in a week, at latest. They may act together or separately, provided, however, that they shall be in groups of two, and under the obligation to render an account of all their actions to the Convention, every twenty-four hours.

## *Decree Regarding the Union of the Principality of Monaco, of a Part of the Bailiwick of Schambourg, and other Neighboring Territories. February* 14, 1793[1]

La Convention nationale, constante dans les principes qu'elle a consacrés par ses décrets des 19 novembre et 15 décembre derniers, confirmant les résolutions qu'ils annoncent, d'aider et secourir tous les peuples qui voudront conquérir leur liberté; sur le vœu libre et formel qui lui a été adressé par plusieurs communes étrangères, circonvoisines ou enclavées, réunies en assemblées primaires, faisant usage de leur droit inaliénable de souveraineté à l'effet d'être réunies à la France comme parties intégrantes de la République; après avoir entendu le rapport de son comité diplomatique, déclare, au nom du peuple français, qu'elle accepte ce vœu, et en conséquence décrète ce qui suit:

ART. 1^er^. La ci-devant principauté de Monaco est réunie au territoire de la République française, et fait partie du département des Alpes-Maritimes.

ART. 2. La partie inférieure du bailliage de Schambourg, dite le Bas-Office, est réunie au territoire de la République, et fait partie du département de la Moselle.

ART. 3. Les communes du pays de Saarwerden et de Harshkerich, ainsi que celles d'Asweiller, sont réunies au territoire de la République, et

The National Convention, firm in the principles it has sanctioned by its decrees of the 19th of November and the 15th of December last, confirming the resolutions that they announce of aiding and succoring all peoples who may wish to conquer their own liberty; upon the free and formal vote addressed to it by several foreign, neighboring or enclosed communes gathered in primary assemblies, and making use of their inalienable right of sovereignty for the purpose of being united to France as integral parts of the Republic; after having heard the report of its diplomatic committee, declares, in the name of the French people, that it accepts this vote, and consequently decrees as follows:

ARTICLE 1. The former principality of Monaco is united to the territory of the French Republic, and makes a part of the department of the Maritime Alps.

ART. 2. The lower part of the bailiwick of Schambourg, called the Bas-Office, is united to the territory of the Republic, and makes a part of the Department of the Moselle.

ART. 3. The communes of the country of Saarwerden and of Harschkerich, as well as those of Asweiller, are united to the territory of the Republic, and will be divided be-

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[1] *Arch. parl.,* 1st series, vol. 58, p. 550.

seront réparties entre les départements du Bas-Rhin, de la Moselle et de la Meurthe, suivant le mode qui sera déterminé par un décret particulier.

ART. 4. Les communes de Créhange, Puttelange, Pontpierre et de la partie allemande de Teting; les communes de Trulben, Kœpen, Hilscht-Schvex, Eppenbrunnen, Obersteinbach, Lutzelhart et Armsberg, sont réunies au territoire de la République, et font partie du département de la Moselle.

ART. 5. Les demandes, en réunion, faites par diverses autres communes ou par des corps administratifs, sont ajournées jusqu'à ce qu'il soit parvenu de nouveaux renseignements.

ART. 6. Les corps administratifs des départements auxquels sont réunies les susdites communes par le présent décret, fourniront à la Convention nationale tous les éclaircissements nécessaires pour qu'elle puisse fixer, dans le plus bref délai, le mode d'incorporation de ces communes, et pour lui faire connaître la nature des biens nationaux qui en dépendent. La Convention nationale met ces biens, ainsi que toutes les propriétés comprises dans le territoire des communes nouvellement réunies, sous la sauvegarde de la nation et des lois.

. . . . .

tween the departments of the Lower Rhine, the Moselle and the Meurthe, following the method which shall be determined by a special decree.

ART. 4. The communes of Créhange, Puttelange, Pontpierre and the German part of Teting; the communes of Trulben, Kœpen, Hilscht-Schvex, Eppenbrunnen, Obersteinbach, Lutzelhart and Armsberg are united to the territory of the Republic, and make a part of the department of the Moselle.

ART. 5. The requests for union made by several other communes or by administrative bodies, are deferred until fresh information shall have come to hand.

ART. 6. The administrative bodies of the departments to which the above named communes are united by the present decree, will furnish to the National Convention all the necessary explanations in order that the mode of incorporation of these communes may be fixed with the least possible delay, and that it may be informed of the nature of the national lands which form a part of them. The National Convention places these lands, as well as all properties comprised within the territory of the communes just united, under the safeguard of the nation and of the laws.

. . . . .

### *Proclamation to the Belgian People by the Commissioners of the French National Convention, Delacroix, Gossuin and Merlin (de Douai). February* 19, 1793[1]

## AU NOM DE LA RÉPUBLIQUE FRANÇAISE

Les membres de la Convention nationale de France, ses commissaires près l'armée et dans les pays de la Belgique, Liège, etc., . . . au peuple belge.

Des hommes qui jusqu'à ce jour ont éternisé la misère et l'anéantissement de la classe industrieuse, ne négligent rien pour vous exciter contre les Français, et vous faire rentrer sous le joug autrichien. Ils ne rougissent pas de nous calomnier avec impudence, de nous peindre comme des athées, des cannibales qui foulent aux pieds les lois divines et humaines.

Les Français, des athées et des cannibales! . . . eux qui, dès 1789, ont proclamé les Droits de l'homme, sous les auspices de l'Etre suprême! eux qui, dès 1790, ont juré une paix immortelle à tous les peuples de la terre, et mis en pratique cette belle maxime du fils de Dieu: il faut aimer son prochain comme soi-même! . . . Les Français fouler aux pieds les lois divines et humaines! . . . eux qui rappellent ces beaux jours de l'Eglise primitive, où les ministres du culte, choisis par les chrétiens, au lieu d'étaler un faste insolent, retradaient dans une vie sainte et frugale toute la modestie des apôtres.

## IN THE NAME OF THE FRENCH REPUBLIC

The Members of the National Convention, its Commissioners with the Army and in the countries of Belgium, Liège, &c., . . . to the Belgian people:

Men who up to this day have perpetuated the misery and ruin of the industrial classes are neglecting nothing to excite you against the French and make you return under the Austrian yoke. They do not blush to calumniate us with effrontery, to depict us as atheists, as cannibals who trample under foot laws human and divine.

Frenchmen atheists and cannibals! . . . they who, since 1789 have proclaimed the Rights of Man, under the auspices of the Supreme Being! they who, since 1790 have vowed immortal peace for all the peoples of the earth, and put in practice that noble maxim of the Son of God; Love thy neighbor as thyself! . . . Frenchmen trample under foot laws human and divine! . . . they who are recalling the great days of the primitive Church, when the ministers of religion, chosen by Christians, instead of displaying insolent pomp, revived all the modesty of the apostles by a holy and frugal life.

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[1] *Arch. parl.,* 1st series, vol. 59, p. 175.

Tout rappelle en France les premiers siècles du catholicisme. Les citoyens commencent à goûter le vertueux plaisir de la fraternité. Les pauvres, ces enfants chéris du héros de l'Evangile, ne sont plus un objet de dédain. Les hommes se rapprochent, s'aident mutuellement, s'exhortent à la pratique des vertus sociales, donnent leur superflu, quelquefois leur nécessaire, aux hommes moins heureux ou plus infortunés. Des chanoines, des abbés, des prieurs n'attirent plus à eux toutes les richesses; le Sauveur de monde ne les avait pas établis; il n'avait institué pour prêcher la sublime morale, que des apôtres et des disciples, c'est-à-dire des évêques, des curés, des vicaires; et il avait prononcé anathème sur les faux prophètes, sur les hommes qui oseraient imiter les pharisiens, sur les prêtres indignes, dont l'avarice mettait le salut du monde à l'encan.

" Ministres de Dieu, s'écrie le prophète Isaïe, vous serez appelés; prêtres du Seigneur, vous serez nommés; vous vous enorgueillirez de leur gloire; mais, pour votre double honte et votre double confusion, les nations reprendront leur héritage. Remis entre leurs mains, leurs moyens de prospérité doubleront, et je serai au milieu d'eux, dit le Seigneur; parce que je hais la rapine et l'argent dans les prêtres et le sacerdoce."

Ouvrez la Bible, hommes égarés par les hypocrites qui corrompent la morale de l'Evangile, qui perdent la re-

In France all things recall the first centuries of Catholicism. Citizens are beginning to enjoy the virtuous pleasure of fraternity. The poor, those cherished children of the hero of the Gospels, are no longer objects of disdain. Men approach each other, mutually aid each other, exhort each other to the practice of social virtues, give of their surplus, sometimes of their necessity, to men less happy or more unfortunate. Canons, abbés, priors no longer draw all wealth to themselves; the Savior of the world did not create them; he had instituted to preach his sublime morality only apostles and disciples, that is to say, bishops, curates and vicars; and he pronounced anathema upon false prophets, upon men who dared to imitate the Pharisees, upon unworthy priests, whose avarice put the salvation of the world up at auction.

" Ministers of God," cries the prophet Isaiah, " you shall be called; you shall be named the priests of the Lord; you shall possess yourselves of the wealth of the nations, and in their glory shall you boast yourselves; but for your double shame and your double confusion, the nations shall take back their heritage. In their hands shall their ways of prosperity double, and I will be in the midst of them, saith the Lord; for I hate robbery and riches among priests and the priesthood."

Open the Bible, ye men led astray by hypocrites who corrupt the morals of the Gospel, who ruin religion, who ligion, qui déshonorent l'Eglise; ouvrez la Bible, et vous y lirez l'arrêt équitable et foudroyant que nous venons de citer.

Ah! sans doute il doit être las, ce Dieu, de voir depuis si longtemps la honteuse faiblesse des uns, et l'exécrable tyrannie des autres. Il doit être las de voir les artisans et les laboureurs ne travailler que pour ramper aux pieds de leurs semblables, et pour alimenter les vices du plus petit nombre. Il doit être las de voir qu'une poignée d'individus abuse de son nom pour désoler, appauvrir, humilier ses créatures. Il est las, ce Dieu, d'être le complice de vos oppresseurs. C'est lui qui vient de réveiller les nations endormies, et de sonner l'heure dernière des tyrans.

Les rois de la terre, a-t-il dit par l'organe du prophète déjà cité, seront assemblés en troupe comme des prisonniers, jetés dans des fosses et des cachots. Il a livré leurs armées pour être tuées; elles tomberont comme la feuille de la vigne. . . . Il n'y aura plus de royaumes, et tous les gouvernements seront réduits à rien.

Eh! n'avons-nous pas été assez heureux pour voir accomplir cette étonnante prédiction?

Il faut être aussi perfide qu'un pharisien du siècle, pour oser méconnaître le doigt de la Providence dans les succès inouïs de notre République. Cette armée innombrable, accourue du fond du Nord pour écraser la nation française, obligée de se replier honteusement après quelques succès dus

dishonor the Church; open the Bible and you will read there the just and blasting judgment that we have just cited.

Ah! doubtless he must be weary, this God, to witness for so long a time the shameful weakness of some and the execrable tyranny of others. He must be weary to see artisans and laborers working only to crawl at the feet of their fellows, and to feed the vices of the minority. He must be weary to see that a mere handful of persons abuse his name to afflict, impoverish, humiliate his creatures. He is weary, this God, of being the accomplice of your oppressors. It is he who comes to waken the sleeping nations, and to sound the last hour of tyrants.

The kings of the earth, he has said by the mouth of the prophet already quoted, shall be assembled in a troop like prisoners, thrown into ditches and dungeons. He has delivered their armies to be killed; they shall fall like the leaves of the vine. . . . There shall be no more kingdoms, and all governments shall be reduced to nothing.

Ah! have we not been so happy as to see the accomplishment of this astonishing prophecy?

One must be as false as a modern pharisee, to dare to mistake the finger of Providence in the unheard of successes of our Republic. This innumerable army rushing from the depths of the North to overwhelm the French nation, obliged to retire shamefully after a few successes due

à la trahison, expirant de faim et de maladies dans les lieux qui furent le théâtre de ses brigandages et de ses cruautés; le drapeau national planté sur la cime des Alpes, et déployant ses trois couleurs jusqu'aux bords de la Meuse et du Rhin; des montagnes inaccessibles, emportées d'assaut; de vieux soldats retranchés derrière ces collines effrayantes, obligés de fuir devant une jeunesse inaguerrie; le Hainaut, la Flandre, le Brabant, le pays de Liège, occupés par les armées françaises; l'esprit de vertige qui s'empare de tous les rois de la terre; les fautes, les crimes dont ils comblent la mesure; l'assassinat dont le prince de Rome, indigne successeur de Saint-Pierre, vient de se rendre coupable; cette France debout et encore vivante après quatre années de révolutions, inépuisable en hommes, en ressources, en vertus, ne comptant plus ses jours que par des actions miraculeuses et des traits de patriotisme étonnants. . . . Quoi, Belges! rien n'a pu vous dessiller les yeux? Vous osez méconnaître dans cette longue série de prodiges, la main du Tout-Puissant, les effets de la justice divine, de la vengeance de l'Eternel qui accomplit enfin ses promesses, et donne à la terre ce bonheur promis depuis si longtemps. . . . Non . . . non, les hommes ne sont pas jetés ici-bas pour le bon plaisir de quelques brigands privilégiés. Les maux de l'espèce humaine durent depuis quatre mille ans; il est temps que le règne des despotes finisse, et que celui des opprimés commence. Peuple belge! il dépend de vous de

to treason, dying of hunger and disease in the places that were the theatre of their brigandage and cruelty; the national flag planted on the summit of the Alps, and displaying its tricolor even to the banks of the Meuse and the Rhine; inaccessible mountains taken by assault; veteran soldiers intrenched behind these steep hills obliged to flee before untrained youth; Hainault, Flanders, Brabant, Liège occupied by the French armies; the madness which possesses all the kings of the earth; the mistakes, the crimes with which they heap the measure; the assassination of which the prince of Rome, unworthy successor of Saint Peter, has recently made himself guilty; this France, standing still alive after four years of revolutions, inexhaustible in men, in resources, in virtue, counting her days only in marvellous deeds and astonishing signs of patriotism.

. . . What, Belgians! could nothing unseal your eyes? Do you dare to deny the hands of the Omnipotent in this long series of prodigies, the effects of divine justice, of the vengeance of the Eternal who at length accomplishes his promises, and gives the world the happiness promised so long ago. . . . No . . . no, men are not thrown here below for the good pleasure of a few privileged brigands. The sufferings of the human race have lasted for four thousand years: it is time that the reign of despots should end, and that of the oppressed begin. Belgian people! it depends on you, to

faire, dès ce moment, commencer le vôtre. La Convention nationale de France veut que vous soyez tous libres, tous égaux en droits; et c'est à ce grand but que tendent ses décrets si astucieusement dénaturés, si audacieusement calomniés par ces hommes pervers qui cherchent à usurper votre souveraineté, en feignant de la défendre. . . . Citoyens, le moment de vous expliquer est arrivé. Le décret du 31 janvier dernier vous a fixé un délai pour déclarer si vous vouliez être nos amis ou nos ennemis: ce délai expire, nous vous ferons connaître incessamment les jours et les lieux où vous devrez en conséquence vous réunir pour prononcer en souverains sur votre sort.

Fait à Bruxelles, le 19 février 1793, l'an II de la République française.

*Signe:* Delacroix, Gossuin,
Merlin (*de Douai*).

begin yours from this moment. The National Convention of France wants you all to be free, all equal in rights; and to this great end lead all their decrees so cunningly denatured, so boldly calumniated by those perverse men who seek to usurp your sovereignty, while feigning to defend it. . . . Citizens, the moment to declare yourselves has come. The decree of January 31 last, fixed a limit for you to decide whether you wished to be our friends or our enemies: this limit is expiring, and we shall make known to you immediately the days and places when and where you must consequently come together to pronounce as sovereigns upon your destiny.

Done at Brussels, February 19, 1793, Year II of the French Republic.

(Signed): Delacroix, Gossuin,
Merlin (*de Douai*).

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## *The Union of Brussels, Ghent and other Belgian Cities with France. Extracts from the Minutes of the National Convention. February 27–March 2, 1793* [1]

### Convention Nationale

Séance du mercredi 27 février 1793

Présidence de Dubois-Crancé, *président*. . . .

Prieur (*de la Marne*), *secrétaire*, reprend la lecture des lettres, adresses et pétitions envoyées à l'Assemblée:

### National Convention

Session of Wednesday, February 27, 1793

Dubois Crancé, *President*, presiding. . . .

Prieur (*of the Marne*) *secretary*, resumes the reading of the letters, addresses, and petitions sent to the Assembly: . . .

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[1] *Arch. parl.*, 1st series, vol. 59, p. 296.

. . . *Lettre des citoyens Gossuin, Merlin (de Douai), Camus et Delacroix, commissaires de la Convention nationale dans la Belgique,* qui annoncent que le peuple de Bruxelles, dans une réunion très nombreuse, a voté sa réunion à la France; cette lettre est ainsi conçue:

" *Bruxelles, le* 25 *février* 1793.

" Citoyens nos collègues, le peuple de la ville de Bruxelles vient de voter sa réunion à la République française. L'Assemblée était nombreuse, et le vœu a été unanime; il a été accompagné de toutes les démonstrations de la plus vive satisfaction. Le peuple à envoyé une députation vers nous, pour nous informer du résultat de l'Assemblée: nous avons embrassé les députés comme frères; on a crié à l'envi: *Vive la République française, et vivent les* 86 *départements.*

" Le canon tire, les cloches vont se faire entendre; toute la journée se passe en fêtes et en réjouissance; elle sera terminée par des illuminations.

" Nous ne vous dirons rien de plus, pour laisser aux deputés du peuple, qui vont se rendre près de la Convention, la satisfaction de rendre tous les détails d'une réunion aussi heureuse, et votée avec autant d'empressement.

" *Signé:* GOSSUIN, MERLIN (*de Douai*); CAMUS, DELACROIX."

A cette lettre est joint le procès-verbal qui constate le vœu du peuple de Bruxelles qui est ainsi conçu:

*Letter from Citizens Gossuin, Merlin (de Douai), Camus and Delacroix, Commissioners of the National Convention in Belgium,* which announces that the people of Brussels, in a large assembly, have voted for their union with France; this letter is thus expressed:

" *Brussels, February* 25, 1793.

" Citizens and colleagues, the people of the City of Brussels have just voted for their union with the French Republic. The Assembly was large, and the vote was unanimous; it was accompanied by every demonstration of the liveliest satisfaction. The people sent a deputation to us to inform us of the result of the Assembly; we embraced the deputies as brothers; vying with each other they shouted: *' Long live the French Republic, long live the* 86 *departments.'*

" Cannon are thundering, the bells are pealing; the whole day is being spent in celebration and rejoicing; it will end with illuminations.

" We will tell you nothing more in order to leave to the deputies of the people, who are going to present themselves before the Convention, the satisfaction of giving all the details of such a happy union, voted with so much enthusiasm.

" Signed: GOSSUIN, MERLIN (*de Douai*); CAMUS, DELACROIX."

To this letter is attached the formal minute which certifies the vote of the people of Brussels, which is in these terms:

*Procès-verbal de l'Assemblée tenue à Bruxelles, le* 25 *février,* 1793, *l'an* IIe *des peuples libres, par le peuple de cette ville et de sa banlieue, pour solliciter de la Convention nationale sa réunion à la France.*

" L'an IIe des peuples libres, et le 25 février, à 10 heures du matin, le peuple de la ville libre de Bruxelles et de sa banlieue assemblé en très grand nombre dans l'église de Saint-Michel et Gudule conformément à la convocation qui a été faite par le général Moreton, commandant en chef le Hainaut et le Brabant, laquelle a été affichée et publiée aux termes du décret de la Convention nationale, du 31 janvier, pour émettre son vœu sur la forme du gouvernement qui lui convient le mieux; L. J. B. Lavalette, lieutenant-colonel commandant le bataillon des Lombards, ayant été chargé par le général Moreton de la représenter, et de remplir en son nom les fonctions que le décret attribue aux commandants militaires.

" Lavalette a dit: Citoyens, c'est en vertu de la réquisition des commissaires de la Convention nationale, députés dans la Belgique, et d'après les ordres du général Moreton, que je viens vous réunir par la lecture du décret et de la proclamation. Vous jugerez que l'objet qui vous rassemble est le plus important dont un peuple puisse s'occuper; vous allez prononcer entre la liberté et l'esclavage; vous allez choisir le gouvernement qui vous convient le mieux; je vous engage à

*Formal Minute of the Assembly held at Brussels, the 25th of February, 1793, Year II of the Free Peoples, by the People of this City and its suburbs, to beg of the National Convention their Union with France.*

" Year II of the Free Peoples, February 25, at 10 o'clock in the morning, the people of the Free City of Brussels and its suburbs assembled in very large numbers in the church of Saint Michael and Saint Gudule in conformity with the summons which was issued by General Moreton, Commander-in-Chief in Hainault and Brabant, which was posted and published in the terms of the decree of the National Convention of the 31st of January, for the purpose of casting their vote in regard to the form of government which best suits them; L. J. B. Lavalette, Lieutenant Colonel commanding the battalion of the Lombards, having been charged by General Moreton to represent him, and to fulfil in his name the functions which the decree assigns to military commanders.

" Lavalette said: ' Citizens, by virtue of the demand of the commissioners of the National Convention, sent into Belgium, and according to the orders of General Moreton, I come to call you together by reading the decree and the proclamation. You will understand that the object which brings you together is the most important with which a people can concern themselves; you are to pronounce between liberty and slavery; you are going to choose the government which faire librement et avec courage le premier acte de souveraineté.

" Le discours du citoyen Lavalette a été souvent interrompu par l'impatience que l'Assemblée témoignait d'émettre son vœu. La parole ayant été donnée au citoyen Gonchon pour un discours patriotique, et dont le but était d'éclairer le peuple sur ses vrais intérêts, malgré les applaudissements dont les vérités qu'annonçait le citoyen Gonchon étaient couvertes, il a été impossible d'arrêter l'ardeur des citoyens; ils ont ordonné l'impression du discours, et demandé à prononcer un vœu sur lesquels ils ont assuré qu'ils étaient assez instruits.

" Le citoyen Gonchon ayant applaudi à l'ordre du peuple, Lavalette a dit: ' Peuple de Bruxelles, votre impatience est bien louable; mais il faut, pour que les malveillants n'attaquent point votre suffrage, que vous remplissiez les formes qui assurent la liberté de vos décisions. Vous avez un président et des secrétaires à élire: Quel mode voulez-vous employer pour l'élection? Le cri unanime a été par acclamation, et surtout la réunion, la réunion! La présidence est mise aux voix: la grande majorité a porté le citoyen J. B. C. Verlvoy qui, ayant prêté le serment, d'être fidèle à la liberté et l'égalité, a occupé la place. L'Assemblée de suite ayant procédé à l'élection des secrétaires, les citoyens Grégoire Lorrenzo, A. Dubremy, G. J. Claisères, J. François Baret ont été appelés au bureau; ils ont prêté le ser-

best suits you; I invite you to perform the first act of sovereignty freely and with courage.'

" The discourse of citizen Lavalette was frequently interrupted by the impatience which the Assembly manifested to cast its vote. Leave to speak having been given to citizen Gonchon in a patriotic discourse of which the object was to enlighten the people concerning their true interests, in spite of the applause with which the truths that citizen Gonchon uttered were greeted, it was impossible to restrain the ardor of the citizens; they ordered the printing of the discourse, and demanded to cast the vote concerning which they were sure that they were sufficiently instructed.

" Citizen Gonchon having applauded the order of the people, Lavalette said: ' People of Brussels, your impatience is most commendable; but, in order that the ill-disposed shall not attack your vote, it is necessary that you should observe all the formalities that ensure the liberty of your decision. You have a president and secretaries to elect. What method do you wish to employ for the election?' The unanimous cry was by acclamation, and above all union, union! The presidency being put to vote, the great majority voted for citizen J. B. C. Verlvoy who, having taken the oath to be faithful to liberty and equality, took his seat. The Assembly having then proceeded to the election of secretaries, citizens Grégoire Lorrenzo, A. Dubremy, G. J. Claisères, J. François Baret were sum-

ment. Le Président a proposé à l'assemblée, avant de procéder à émettre le vœu, à prêter aussi le serment à la liberté et à l'égalité. Les transports les plus vifs se sont manifestés, et l'église a retenti des cris de fidélité à la liberté et à l'égalité, *vive la République française, vive la réunion.*

". . . Lé président ayant rappelé l'assemblée au recueillement, a répété, au nom du peuple de Bruxelles et des environs, le serment.

". . . Le président ayant proposé les différents modes de voter, en a demandé le mode d'acclamation. Le président ayant demandé si on connaissait bien l'objet de la délibération, tous répondent, oui, oui; alors il propose que le peuple choisisse entre le gouvernement aristocratique, qui comprend les anciens Etats et le gouvernement autrichien et le démocratique. Le vœu unanime a annoncé qu'on voulait le démocratique. Il a proposé ensuite de prononcer entre le gouvernement simplement libre, ou la réunion départementale de la France.

". . . Que ceux qui veulent la réunion à la France, a-t-il dit, passent à gauche. Un cri spontané et universel a déclaré vouloir la réunion; les bras se sont levés; tous ont crié: 'Nous sommes Français; vive la France; nous voulons la réunion': Le président répète le même cri; et alors le vœu unanime, *vive la République, vive la réunion,* se répète à l'envi.

". . . Un citoyen fait la motion

moned to the office; they took the oath. The President proposed to the Assembly, before proceeding to cast the vote, to take the oath of liberty and equality also. The most eager transports were manifested, and the church rang with cries of fidelity to liberty and equality, *long live the French Republic, long live the union.*

". . . The president having recalled the Assembly to order repeated the oath, in the name of the people of Brussels and its environs.

". . . The President having proposed different methods of voting, the method by acclamation was demanded. The President having asked whether they were perfectly informed of the object of the deliberation, they all replied "Yes, yes"; he then proposed that the people should choose between the aristocratic government, meaning the old States and the Austrian government, and the democratic. The unanimous vote announced that they wished the democratic. He then proposed that they decide between a government simply free, or departmental union with France.

". . . Let those who desire the union with France, said he, pass to the left." A spontaneous and universal cry declared the wish for union; arms were raised; everybody cried out: 'We are French; long live France; we want union'; The President repeats the same cry; and then the unanimous desire, *'Long live the Republic, long live the union,'* was repeated by every one.

". . . A citizen makes a motion that

qu'il soit envoyé à la Convention une députation pour porter le vœu de réunion. Cette demande est adoptée à l'unanimité. Les citoyens Rojure, Chapel, Lavalette et Verlvoy ont éte chargés de porter ce vœu à la Convention nationale. On a demandé une nombreuse députation aux députés de la Convention, commissaires dans la Belgique. Chacun a crié: Nous irons tous. On a proposé qu'un registre serait ouvert à tous ceux qui voudraient protester contre la réunion. Un mouvement d'horreur allait faire rejeter cette proposition, si on n'avait dit qu'il ne fallait laisser aucune ressource aux malveillants.

". . . Sur la motion d'un citoyen, l'on a arrêté que le procés-verbal de cette séance serait imprimé, affiché et envoyé à la Convention, aux 85 départements, aux commissaires de la Convention, du conseil exécutif, aux généraux, commandants, aux autorités constituées et aux sociétés patriotiques.

". . . Un citoyen demande que l'hymne des Marseillais termine la séance, et que les cris de réunion, de liberté et d'égalité se fassent entendre dans toute la ville. (*Adopté.*)

". . . Fait et clos à midi, et ont signé." (*Vifs applaudissements.*)

Cambon. Dans une affaire aussi importante, il faut soigneusement examiner si le vœu a été librement émis. Je demande que ce procès-verbal soit renvoyé au comité de défense générale.

a deputation be sent to the National Convention to carry the vote for union. This demand was adopted unanimously. Citizens Rojure, Chapel, Lavalette and Verlvoy were charged to carry this vote to the National Convention. A large deputation to the deputies of the Convention, the commissioners in Belgium, was called for. Everybody cried: 'We will all go.' It was proposed that a register should be opened for all those who wished to protest against the union. A movement of horror was about to reject this proposition, if it had not been said that no resource should be left to the evil-disposed.

". . . On motion of a citizen, it was decided that the official report of this session should be printed, posted and sent to the Convention, to the 85 departments, to the commissioners of the Convention, to the Executive Council, to the generals, commandants, the constituted authorities, and patriotic societies.

". . . A citizen asked that the hymn of the Marseillais should conclude the session, and that the shouts of union, liberty and equality should make themselves heard throughout the city. (*Adopted.*)

". . . Done and concluded at noon, and signed." (*Great applause.*)

Cambon. In so important a matter, it is necessary carefully to examine whether the vote was freely given. I demand that the official report be sent to the Committee of General Defence.

*Plusieurs membres* proposent que le renvoi soit fait de préférence au comité diplomatique.

(La Convention prononce le renvoi de cette lettre et du procès-verbal au comité diplomatique.)

Cambon. Voilà le moment heureux où le décret du 15 décembre, tant calomnié, a fait triompher la démocratie; mais ce décret n'est pas totalement exécuté. Vos commissaires vous envoient bien exactement le vœu des villes; mais les commissaires nationaux nommés par le conseil exécutif, négligent de vous transmettre le vœu des campagnes. Je suis étonné que le conseil exécutif ne leur rappelle pas ce devoir; cependant je sais que vers le Namurois, presque toutes les communes ont déjà voté pour leur réunion. Je demande que le conseil exécutif nous rende compte des opérations des commissaires nationaux envoyés dans la Belgique, et qu'il soit tenu de nous transmettre les procès-verbaux qui constatent le vœu de ces peuples.

*(La Convention nationale décrète que le conseil exécutif provisoire enverra un de ses membres pour lui rendre, demain à midi, compte des opérations des commissaires par lui envoyés dans les pays occupés par les troupes de la République, et remettre à la Convention les procès-verbaux de réunion à la France demandées par différents peuples.)*

. . . . .

*Several members* propose that the reference be made preferably to the Diplomatic Committee.

(The Convention refers this letter and the formal minute to the Diplomatic Committee.)

Cambon. This is the happy moment when the decree of the 15th of December, so much calumniated, has brought about the triumph of democracy; but this decree was not wholly carried out. Your commissioners send you very carefully the vote of the cities; but the national commissioners named by the Executive Council, neglect to transmit to you the vote of the country places. I am astonished that the Executive Council does not recall this duty to them; nevertheless I know that in the neighborhood of Namur, nearly all the communes have already voted for union. I demand that the executive council give us a report of the operations of the national commissioners sent into Belgium, and that it be held accountable for transmitting to us the official reports which certify the vote of those people.

*(The National Convention decrees that the Provisional Executive Council shall send one of its members at noon to-morrow to render an account of the operations of the commissioners sent by it into the places occupied by the troops of the Republic, and to transmit to the Convention the formal minutes of the union with France asked by different peoples.)*

. . . . .

Séance du vendredi 1er mars 1793.

. . . . .

*Lettre des commissaires de la Convention dans la Belgique et le pays de Liège* par laquelle ils annoncent que sur 330 communes qui composent la province du Hainaut autrichien, 300 ont voté unanimement pour leur réunion à la France sous le nom de département de Jemmapes: en voici l'extrait:

" Les commissaires nationaux, envoyés par le conseil exécutif dans le ci-devant Hainaut autrichien, viennent de nous rendre compte du résultat de leurs opérations.

" Cette province est composée de 330 communes, et 300 ont émis leur vœu unanime de leur réunion à la France, pour former un des départements de la République, une et indivisible, sous le nom de département de Jemmapes. Parmi les 30 autres, quelques-unes, ou n'ont point émis de vœu, ou ont déclaré adhérer à celui de la majorité, quel qu'il fût, ou bien n'ont pu, à raison de circonstances particulières, s'assembler. Un très petit nombre sur les 30 a émis un vœu contraire à la réunion. Les députés du pays partent demain pour vous porter les procès-verbaux d'assemblée, vous rendre compte de tous les détails, et solliciter un décret de réunion qu'ils sont très empressés d'obtenir; et ils nous ont priés de vous engager à vous rendre sans délai à leurs vœux. La position du pays, sa langue, ses usages, plus que tout cela, son empressement à quitter ce nom de Hainaut autri-

Session of Friday, March 1, 1793.

. . . . .

*Letter from the Commissioners of the Convention in Belgium and the District of Liège* in which they announce that out of 330 communes which form the province of Austrian Hainault, 300 have voted unanimously for their union with France under the name of the Department of Jemmapes; the extract follows:

" The national commissioners sent by the Executive Council into the former Austrian Hainault, have just given us an account of the results of their operations.

" This province is composed of 330 communes and 300 have given their unanimous vote for union with France, in order to make one of the departments of the Republic, one and indivisible, under the name of the Department of Jemmapes. Among the other thirty some have either not given any vote at all, or have declared they would adhere to that of the majority, whatever it might be, or have not been able, from some particular circumstances, to meet together. A very small number out of the thirty have given their vote against the union. The deputies of the district leave to-morrow to carry to you the formal minutes of the assemblies, to give you an account of all the details, and to beg for a decree of union which they are very anxious to obtain, and they have begged us to urge you to carry out their wishes without delay. The position of the

chien, pour prendre celui de Jemmapes, nom mémorable à jamais dans les fastes de l'histoire des peuples libres, les assurent du succès de leur demande."

(*La Convention renvoie la lettre au comité diplomatique.*)

*Lettre de Lebrun, ministre des affaires étrangères,* qui fait passer à la Convention :

1° Le procès-verbal de l'assemblée communale du peuple libre de Dinant, dans laquelle il a voté sa réunion à la France, et d'être gouverné dès à présent par les lois françaises ;

2° L'adresse de la même ville à la Convention ;

3° Le procès-verbal particulier de la ville de Cuincy et de sa banlieue, qui exprime le même vœu de réunion ;

4° La lettre du citoyen Bosque, qui annonce la nouvelle d'un vœu semblable dans tout l'arrondisement et l'envoi prochain des procès-verbaux qui le constatent.

(*La Convention renvoie la lettre du ministre et les pièces jointes au comité diplomatique, chargé de faire incessamment son rapport.*)

. . . . .

*Une députation des citoyens de la ville libre de Gand et de sa banlieue se présente à la barre.*

*Le citoyen Meyer, orateur de la députation,* s'exprime ainsi :

"Législateurs, des hommes perfides,

country, its language, its customs, and more than all that, its eagerness to drop this name of Austrian Hainault, in order to take that of Jemmapes, a name forever memorable in the annals of the history of free peoples, ensure them success in their demand."

(*The Convention refers the letter to the Diplomatic Committee.*)

*Letter from Lebrun, Minister of Foreign Affairs,* which transmits to the Convention :

1. The official record of the communal assembly of the free people of Dinant, in which they voted their union with France, and their government from the present time by French laws ;

2. The address of the same town to the Convention ;

3. The special official report of the town of Cuincy and its suburbs, expressing the same vote for union ;

4. The letter of citizen Bosque, who announces the news of a similar vote in the whole district, and the early transmission of the official reports certifying it.

(*The Convention refers the letter of the Minister and the accompanying papers to the Diplomatic Committee, instructed to make an immediate report.*)

. . . . .

*A deputation of citizens from the free city of Ghent and its suburbs presents itself at the bar,* CITIZEN MEYER, *the orator of the deputation,* speaks as follows :

"Legislators : malicious men, par-des partisans de l'aristocratie nobiliaire et sacerdotale, de prétendus représentants de la Flandre, se sont audacieusement présentés à cette assemblée auguste pour demander le rapport et la révocation de votre décret des 15, 17 et 22 octobre dernier, sous le faux prétexte qu'il blessait la souveraineté du peuple; ils ont cru, les insensés, ils ont cru pouvoir égarer votre sagesse, et surprendre votre justice; mais leurs coupables démarches n'ont produit d'autre effet que la honte et l'opprobre dont ils se sont couverts.

. . . . .

" Législateurs, prononcez sur leur sort, unissez à jamais à la France une partie de la Belgique, que les rivalités des tyrans qui la dominaient n'ont pu rendre ennemie; nous jurons, au nom des Flamands qui nous ont députés vers vous, haine aux tyrans, amour au peuple, union et fraternité à la nation française."

Le Président. Citoyens, ils ont donc pris racine dans votre patrie les principes purs de liberté, principes dont la seule pensée était un délit aux yeux des despotes, prêtres, rois et nobles, qui, toujours en guerre entre eux, mais constamment ligués contre les peuples, ont souillé si longtemps la terre des crimes de leur orgueil.

. . . . .

La Convention nationale, déjà unie de cœur avec le peuple belge, prendra en grande considération l'objet de votre mission; elle n'attend de son comité diplomatique que les renseigne-

tisans of the priestly and noble aristocracy, pretended representatives of Flanders, boldly presented themselves to this august assembly to demand the report and the revocation of your decree of the 15th, 17th and 23d of October last, under the false pretext that it injured the sovereignty of the people; they believed, the madmen, they believed that they could mislead your wisdom and take by surprise your justice; but their guilty actions produced no other effect than the shame and opprobrium with which they were covered.

. . . . .

" Legislators, pronounce upon their destiny, unite forever to France a part of Belgium which the rivalries of tyrants who have ruled it have not been able to make your enemy; we swear in the name of the Flemings who have sent us to you, hatred to tyrants, love to the people, union and fraternity to the French nation."

The President. Citizens, the pure principles of liberty have then taken root in your country, principles of which the thought alone was a crime in the eyes of the despots, priests, kings and nobles who, always at war among themselves, but ever leagued against the people, have so long sullied the earth with the crimes of their pride.

. . . . .

The National Convention, already united at heart with the Belgian people, will take into serious consideration the object of your mission; it awaits from its Diplomatic Com-

ments nécessaires pour sceller du sceau de la justice, et de la plus douce fraternité, l'incorporation de deux nations qu'aucune puissance ne pourra plus séparer.

La Convention vous invite à sa séance.

Charlier, *secrétaire,* donne alors lecture du procès-verbal *de l'assemblée des citoyens de la ville libre de Gand et de sa banlieue;* il est ainsi conçu:

### Liberté, Egalité

Aujourd'hui, 22 février 1793, l'an II$^{e}$ des peuples libres; le peuple de la ville de Gand, et banlieue, assemblé en grand nombre en l'église cathédrale de Saint-Baron, d'après la convocation solennelle, et par écrit, faite par le commandant Ferrand, répétée à plusieurs reprises dans tous les carrefours et dans la banlieue, à l'effet de délibérer et de voter sur la forme de gouvernement qui convient à la Flandre orientale.

Le commandant de cette ville a répété à haute et intelligible voix sa proclamation, et annoncé, au nom de la République française, paix et fraternité. Il a ensuite déclaré, ainsi que le citoyen Alexandre Courtois, commissaire national du pouvoir exécutif dans la Flandre orientale, qu'ils venaient assurer la liberté des suffrages et qu'ils se retireraient au moment de leur émission.

Alexandre Courtois a proposé de nommer un président; toutes les voix se sont réunies en faveur de Jacques-Guillaume Meyer, homme de loi; il a été proposé ensuite de nommer quatre

mittee only the necessary information to seal with the seal of justice and the warmest fraternity, the incorporation of the two nations which no power shall longer separate.

The Convention invites you to its session.

Charlier, *secretary, then reads the formal minute of the assembly of the citizens of the free city of Ghent and its suburbs;* it is as follows:

### Liberty and Equality

This day, the 22d of February, 1793, Year II of the free peoples; the people of the City of Ghent and its suburbs, assembled in large numbers in the cathedral church of Saint Baron, after the solemn summons, made also in writing, by the Commandant Ferrand and repeated several times in all the squares and in the suburbs, for the purpose of deliberating and voting upon the form of government which suits eastern Flanders.

The Commandant of this city repeated his proclamation in a loud and clear voice, and in the name of the French Republic, announced peace and fraternity. He then declared, as did Citizen Alexandre Courtois also, National Commissioner of the executive power for eastern Flanders, that they came to insure the liberty of suffrage and that they would retire at the moment of its being cast.

Alexandre Courtois proposed the nomination of a president: all voices united in favor of Jacques-Guillaume Meyer, lawyer; it was then proposed to name four secretaries; Citizens

secrétaires; les citoyens Erasme Vander-Steene, du Booch, Antheunis, Van-Straclen, ont été nommés par acclamation; ils ont prêté le serment requis entre les mains du président comme il l'avait prêté à son tour entre les mains du commissaire national.

Alexandre Courtois fait un discours éloquent et patriotique sur l'état politique de la Belgique, sur l'importance des droits et des devoirs que les citoyens allaient exercer et remplir; et sans influencer en rien les opinions, il finit par une peinture touchante de la liberté universelle.

Le président lui répond: Vous avez parlé des droits du peuple en homme qui a su les défendre; depuis longtemps vous avez mérité l'estime des Flamands, et par votre éloquence persuasive, et par la douceur de vos mœurs. Je vous répète en leur nom le témoignage de cette estime. (*Vifs applaudissements.*) *Alexandre Courtois se retire.*

Le président fait renouveler le serment de fidélite à la liberté et à l'égalité, dans les formes prescrites par le décret du 15; il est prêté a l'unanimité. Ensuite il prévient l'assemblée qu'il y a un registre préparé où les citoyens peuvent aller signer leur renonciation à tous privilèges et prérogatives. Il prononce un discours énergique sur les circonstances actuelles, qui est souvent interrompu par des applaudissements.

Il propose les différents modes de voter; l'assemblée délibère de toutes voix qu'il sera voté par acclamation.

Erasme Vander-Steene, du Booch, Antheunis, and Van-Straclen, were nominated by acclamation; they took the required oath between the hands of the president as he had taken it in his turn between the hands of the national commissioner.

Alexandre Courtois gave an eloquent and patriotic discourse on the political state of Belgium, on the importance of the rights and duties which the citizens were about to exercise and fulfil; and without in any way influencing opinions, he finished with a touching picture of universal liberty.

The President replied to him: "You have spoken of the rights of the people as a man who knew how to defend them; you have long merited the esteem of the Flemings, both by your persuasive eloquence and by the gentleness of your manners. I repeat to you in their name the testimony of that esteem." (*Great applause.*) *Alexandre Courtois retires.*

The president orders a renewal of the oath of fidelity to liberty and equality, in the form prescribed by the decree of the 15th. It was taken unanimously. Then he notifies the Assembly that there is a register prepared to which citizens can go and sign their renunciation of all privileges and prerogatives. He delivers an energetic discourse on present conditions, which is frequently interrupted by applause.

He proposes different methods of voting; the assembly decides unanimously that it will vote by accla-

Il demande ensuite si l'assemblée a mûrement réfléchi sur le choix du gouvernement qu'elle doit adopter; tous répondent *oui.* Il propose trois formes de gouvernement, qu'il explique; l'ancienne et défectueuse constitution, la république purement démocratique et indépendante, enfin, l'union départementaire à la France; il veut poser séparativement les questions; il propose que ceux qui voteront pour l'union départementaire se retirent à gauche, et ceux d'un avis contraire à droite. Tout à coup, et par un mouvement spontané, toute l'assemblée adopte l'union départementaire; tous les bras sont levés, toutes les voix crient; *Vive la France! Nous sommes Français!*

Le président répète lui-même ces cris et salue la France au nom des Flamands; il demande un instant de silence et de recueillement sur le vœu qui vient d'être émis; les cris de: *Vive la République française! vive l'union! vive la liberté!* se répètent en chœur.

Plusieurs citoyens demandent que, sans délai, le vœu qui vient d'être prononcé soit porté à la Convention nationale de France, et qu'il lui soit demandé de faire de la Flandre orientale un département sous la dénomination des *Plaines du Nord.* Cette demande est arrêtée à l'unanimité; et les citoyens Meyer, la Valeste et Erasme Van-der-Steene, sont nommés pour cette députation. Van-der-Linden et de Neck sont aussi proposés. (*Applaudissements.*)

mation. He then asks if the assembly has maturely reflected upon the choice of the government that it should adopt; all reply *"Yes."* He proposes three forms of government, which he explains; the old and defective constitution, the republic, purely democratic and independent, finally, departmental union with France; he desires to put the questions separately; he proposes that those who vote for departmental union shall pass to the left, and those of contrary opinion to the right. Suddenly, by a spontaneous movement, the entire assembly adopts departmental union; all arms are raised, all voices cry: *"Long live France! We are Frenchmen!"*

The president himself repeats these shouts and salutes France in the name of the Flemings; he calls for a moment of silence and meditation upon the vote which has just been given; cries of *"Long live the French Republic! long live the Union! long live Liberty!"* are repeated in chorus.

Several citizens demand that without delay the vote which has just been pronounced shall be carried to the National Convention of France, and that it be asked to make eastern Flanders a department under the denomination of *Plaines du Nord.* This demand is unanimously agreed upon; and citizens Meyer, la Valeste and Erasme Van-der-Steene, are named for this deputation. Ven-der-Linden and de Neck are also proposed. (*Applause.*)

L'union prononcée sans retour et sans condition, on propose de charger les députés de prier la Convention nationale de déclarer que le papier monnayé ou assignats de la République française n'aura point d'effet rétroactif, comme nos frères et amis les Liégeois l'ont desiré.

On propose une fête. (*Adopté.*)

Un citoyen demande que le procès-verbal de cette séance soit imprimé, et envoyé à la Convention nationale, à ses commissaires dans la Belgique, aux commissaires nationaux du pouvoir exécutif, aux généraux d'armée et commandants de place dans la Flandre, aux quatre-vingt-cinq départements, aux autorités constituées, et sociétés patriotiques de la Belgique et du pays de Liège. (*Adopté.*)

Le président, au nom de l'assemblée, après en avoir recueilli le vœu, annonce qu'il sera ouvert dans tout le jour un registre où tous les citoyens qui voudraient protester, et ceux qui voudraient émettre un vœu différent de celui qui vient d'être prononcé sur la réunion, pourront inscrire leur déclaration.

Le citoyen Antoine de Nève a été proposé et agréé pour requérir la municipalité de tenir ce registre ouvert, et de le remettre au président dans les 24 heures.

Le citoyen de Moor demande à pouvoir voler aux frontières à la tête de 1,000 sans-culottes. (*Vifs applaudissements.*)

Union declared without recall and without condition, it is proposed to charge the deputies to beg the National Convention to declare that the paper money or *assignats* of the French Republic shall have no retroactive effect, as our brothers the people at Liege have desired.

A celebration is proposed. (*Adopted.*)

A citizen asks that the formal minute of this meeting shall be printed and sent to the National Convention, to its commissioners in Belgium, to the national commissioners of the executive power, to the generals of the army and commandants of towns in Flanders, to the eighty-five departments, to the constituted authorities, and the patriotic societies of Belgium and the district of Liège. (*Adopted.*)

The President, in the name of the Assembly, after having taken the vote, announces that there will remain open all day a register in which citizens who may wish to protest, and those who wish to give a different vote from that which has just been pronounced in regard to union, may inscribe their declaration.

Citizen Antoine de Nève was proposed and accepted to require the Municipality to keep this register open, and to send it to the President within 24 hours.

Citizen de Moor asks permission to fly to the frontiers at the head of 1000 sans-culottes. (*Great applause.*)

Fait et clos les jour et an susdits, à dix heures du matin.

*Signé:* J. G. MEYER, *président;* E. VANDER-STEENE, *secrétaire;* J. J. ANTHEUNIS, J. J. VAN-STRACLEN, *secrétaire;* DUBOSCH, *secrétaire.*

Je soussigné, commissaire national dans la Flandre orientale, certifie que les signatures des citoyens Meyer, Vander-Steene, Antheunis, Van-Straclen et Dubosch sont vraiment celles de ces citoyens.

A Gand, ce 23 février, l'an II de la République française.

*Signé:* ALEXANDRE COURTOIS.

Nous soussignés, officiers municipaux, de la ville libre de Gand, chargés de recueillir les protestations que les citoyens de cette ville auraient pu faire contre la légalité du vœu pour la réunion de cette ville et ses banlieues à la République française, spontanément et librement émis par le peuple souverain, en date de hier, certifions que personne ne s'est présenté, soit pour protester, soit pour contredire, en quelque manière que ce puisse être, ledit vœu du peuple. En foi de quoi nous avons signé.

A Gand, le 23 février 1793, à midi, l'an II de la République française.

*Signé:* J. CRISPAL, B. VAN-WAUBEKE.

Je soussigné, commissaire national dans la Flandre orientale, certifie que les signatures ci-dessus sont véritablement celles des citoyens Van-Waubeke et Crispal, officiers municipaux en cette ville.

Done and concluded the above day and year at 10 o'clock in the morning.

(*Signed*) J. G. MEYER, *President;* E, VANDER-STEENE, J. J. ANTHEUNIS, J. J. VAN-STRACLEN, DUBOSCH, *Secretaries.*

I the undersigned, National Commissioner in Eastern Flanders, certify that the signatures of Citizens Meyer, Vander-Steene, Antheunis, Van-Straclen, and Dubosch are actually those of these citizens.

At Ghent, this 23d of February, Year II of the French Republic.

(*Signed*) ALEXANDRE COURTOIS.

We the undersigned, municipal officers of the Free City of Ghent, charged with receiving the protests that the citizens of this city might make against the legality of the vote for the union of this city and its suburbs with the French Republic, spontaneously and freely given by the sovereign people, under date of yesterday, certify that no one has presented himself, either to protest or to contradict, in any manner whatsoever, the said vote of the people. In witness whereof we have signed.

Ghent, the 23d day of February, 1793, Year II of the French Republic.

(*Signed*) J. CRISPAL, B. VAN-WAUBEKE.

I the undersigned, National Commissioner in Eastern Flanders, certify that the above signatures are actually those of Citizens Van-Waubeke and Crispal, municipal officers of this city.

*A Gand, le 23 février, l'an II de la République française.*

*Signé:* ALEXANDRE COURTOIS.

(*La Convention décrète que le discours des députés belges, la réponse du président, ainsi que le procès-verbal de l'assemblée des citoyens de Gand seront insérés au Bulletin, imprimés et renvoyés aux départements et aux armées.*)

*Les quatre députés belges entrent dans la salle; ils reçoivent du président le baiser fraternel; on les couvre d'applaudissements. . . .*

CARNOT, *au nom du comité diplomatique,* fait un rapport et présente un projet de décret pour déclarer que la Convention accepte le vœu librement émis des ville, faubourgs, et banlieue de Bruxelles pour leur réunion à la République française; il s'exprime ainsi:

Citoyens, vous avez ordonné que votre comité diplomatique vous ferait un prompt rapport sur le vœu que les citoyens de Bruxelles viennent d'émettre pour leur réunion à la République française. Ce vœu vous était connu depuis longtemps, ainsi que celui de Mons, de Gand, de Liège, et d'un nombre immense d'autres communes du Hainaut et de la Belgique; mais aucun d'eux ne vous était parvenu jusqu'à ce moment, revêtu des formes légales qui garantissent la liberté entière et l'authenticité d'un acte aussi solennel: celui de la ville de Bruxelles et de sa banlieue vous est enfin arrivé, et votre comité diplomatique vous propose la réunion immédiate de cette grande et

*Ghent, the 23d February, Year II of the French Republic.*

(*Signed*) ALEXANDRE COURTOIS.

(*The Convention decrees that the discourse of the Belgian deputies, the reply of the president, as well as the official report of the assembly of the citizens of Ghent shall be inserted in the Bulletin, printed and sent to the departments and to the armies.*)

*The four Belgian deputies enter the hall; they receive from the president the fraternal kiss; they are greeted with applause. . . .*

CARNOT, *in the name of the Diplomatic Committee,* makes a report and presents a draft of a decree to declare that the Convention accepts the vote freely given by the city, outskirts and suburbs of Brussels for their union with the French Republic; he speaks as follows:

Citizens, you ordered that your Diplomatic Committee should make a prompt report to you upon the vote that the citizens of Brussels have just given for their union with the French Republic. This vote has been known to you for a long time, as well as that of Mons, of Ghent, of Liège, and of an immense number of other communes of Hainault and Belgium; but none of them up to this moment have come to you clothed in the legal forms which guarantee the complete liberty and authenticity of an act so solemn: that of the city of Brussels and its suburbs has at last reached you and your Diplomatic Committee proposes to you the immediate union of this superbe cité au territoire de la République. . . .

Votre comité diplomatique vous a déjà présenté le développement des principes d'intérêt et de justice qui doivent être les guides d'un peuple libre en matière de réunion; il ne s'agit donc plus que d'applications particulières.

Le procès-verbal de l'assemblée primaire, qui réunissait les citoyens de Bruxelles et de sa banlieue, annonce un enthousiasme que je tenterais vainement d'exprimer: le vœu pour la réunion a été unanime, l'impatience des citoyens n'a pas permis de l'émettre autrement que par des acclamations réitérées, et des cris de: *Vive la République française, vive la réunion.* Des illuminations, des fêtes publiques, des salves d'artillerie et le bruit des cloches, ont attesté l'allégresse des citoyens; on a juré l'abolition de la tyrannie: jamais vœu ne fut plus libre; jamais serment ne fut plus solennel.

Je n'examinerai pas quels peuvent être les intérêts respectifs des deux peuples à la réunion désirée: dans ce moment un seul doit nous fixer, la gloire nationale, l'engagement que nous avons pris d'aider et défendre tous les peuples qui veulent conquérir leur liberté. Bruxelles ne peut conserver la sienne sans nous; c'en est assez; de ce moment Bruxelles est Française.

Citoyens, vous êtes impatients de prononcer ce décret, qui va porter le coup mortel à vos ennemis. Votre comité vous le propose en ces termes:

great and superb city with the territory of the Republic. . . .

Your Diplomatic Committee has already presented to you the development of the principles of interest and of justice which must be the guides of a free people in the question of union; we are therefore concerned only with special applications.

The formal minute of the primary assembly, which brought together the citizens of Brussels and its suburbs, shows an enthusiasm which I should in vain attempt to express; the vote for union was unanimous, the impatience of the citizens would not permit that it be given otherwise than by reiterated acclamations, and shouts of "*Long live the French Republic, long live the union.*" Illuminations, public celebrations, salvos of artillery and the sound of bells, attested the joy of the citizens; they swore to abolish tyranny; never was a vote more free; never was an oath more solemn.

I will not examine into what may be the respective interests of the two peoples in the desired union; at this moment one alone should determine us, the national glory, the vow we have taken to aid and defend all peoples who desire to conquer liberty for themselves. Brussels can not keep hers without us; that is enough; from this moment Brussels is French.

Citizens, you are impatient to pronounce this decree, which will strike a mortal blow at your enemies. Your committee proposes it to you in these terms:

" La Convention nationale, après avoir entendu le rapport de son comité diplomatique, sur le vœu librement émis par le peuple souverain des ville, faubourgs et banlieue de Bruxelles, dans leur assemblée primaire, pour leur réunion à la République française, décrète ce qui suit :

Art. 1er. " La Convention nationale déclare, au nom du peuple français, qu'elle accepte le vœu, et qu'en conséquence les ville, faubourgs et banlieue de Bruxelles, sont partie intégrante de la République.

Art. 2. " Les commissaires de la Convention nationale, envoyés dans la Belgique, sont chargés de prendre provisoirement toutes les mesures nécessaires pour l'exécution des lois de la République française, dans les ville, faubourgs et banlieue de Bruxelles, ainsi que de recueillir et transmettre à la Convention tout ce qui peut lui servir à déterminer dans le plus bref délai possible le mode de réunion."

(*La Convention adopte ce projet de décret*). . . .

. . . . .

Séance du samedi 2 mars 1793.

Carnot, *au nom du comité diplomatique,* fait un rapport et présente un projet de décret pour déclarer que le nom de département de Jemmapes; grante du territoire de la République et formera un 86$^0$ département, sous le nom de département de Jemmapes; il s'exprime ainsi :

Citoyens, les communes du Hainaut ci-devant autrichien, viennent enfin de

" The National Convention, after having heard the report of its Diplomatic Committee, concerning the vote freely given by the sovereign people of the city, outskirts, and suburbs of Brussels, in their primary assembly, for their union with the French Republic, decrees as follows :

Article 1. " The National Convention declares, in the name of the French people, that it accepts the vote, and that consequently the city, outskirts and suburbs of Brussels are integral parts of the Republic.

Art. 2. " The commissioners of the National Convention sent into Belgium, are charged to take provisionally all the measures necessary for the execution of the laws of the French Republic in the city, outskirts, and suburbs of Brussels, and also to gather and transmit to the Convention all that may be of use to it in determining the manner of union, in the shortest possible time."

(*The Convention adopts this draft decree*). . . .

. . . . .

Session of Saturday, March 2, 1793.

Carnot, *in the name of the Diplomatic Committee,* makes a report and presents a draft of a decree to declare that the country of Hainault forms an integral part of the territory of the Republic and will make the 86th department under the name of the Department of Jemmapes; he expresses himself as follows :

Citizens, the communes of Hainault formerly Austrian, have at secouer le joug honteux que leur imposaient depuis si longtemps les despotes de Hongrie et de Bohême; elles se sont déclarés libres et souveraines; en cette qualité elles ont délibéré sur le régime qu'il leur convenait d'adopter; celui d'une liberté à la française, c'est à dire d'une liberté pleine, sans restriction, leur a paru meilleur: elles ont voté avec enthousiasme leur réunion à la République.

Mons, Ath, Lenze, Enghien, Jemmapes, sont du nombre de ces communes. Sur trois cent trente, deux seulement ont montré quelques regrets pour leur ancienne constitution, et treize auraient préféré un gouvernement particulier et pourtant libre; mais l'immense majorité des citoyens veut être française; elle réclame de la loyauté nationale l'exécution des décrets par lesquels nous promettons secours et fraternité à tous les peuples qui veulent être libres; vous ne pourriez vous y refuser sans ternir la gloire que vos armes vous ont acquise dans ces contrées.

Les mêmes raisons qui vous ont déterminés pour Bruxelles s'appliquent à tous les pays du Hainaut, leur vœu a été émis avec la même liberté, la même unanimité de suffrages, les mêmes transports; ce pays a de plus l'avantage de la proximité et de la facilité des secours; il offre l'étendue et la population d'un vaste département, et présente des ressources qui, développées par le génie de la liberté, deviendront immenses. En ce moment, il

length thrown off the shameful yoke which the despots of Hungary and Bohemia have so long imposed upon them; they have declared themselves free and sovereign; in this capacity they have considered the form of government which it suits them to adopt; that of a French liberty, that is, a complete liberty without restriction, seemed best to them; they have voted enthusiastically their union with the Republic.

Mons, Ath, Lenze, Enghien, Jemmapes, are among the number of these communes. Out of three hundred and thirty, two only showed any regret for their ancient constitution, and thirty would have preferred a separate government but free nevertheless; but the immense majority of the citizens wish to be French; they demand of our national loyalty the execution of decrees by which we promise help and fraternity to all the peoples who desire to be free; you could not refuse it without tarnishing the glory that your arms have acquired for you in these countries.

The same reasons which decided you for Brussels apply to all the sections of Hainault, their vote was given with the same liberty, the same unanimity of suffrage, the same transports of enthusiasm; this region has the further advantage of proximity and facility for assistance; it offers the extent and the population of a vast department, and shows resources which, developed by the genius of liberty, will become im-

n'y a plus d'autorités existantes; il est pressant d'y établir une organisation conforme à nos principes, et il faut se hâter d'y instituer une administration, d'y créer un département. Le nom de Jemmapes, si cher à la liberté, si cher aux Français, est celui que demandent, celui que se sont donné d'avance, comme peuple souverain, les citoyens du ci-devant Hainaut. Sans doute, vous confirmerez cette dénomination qui seule suffirait pour garantir l'indissolubilité des liens qui doivent les unir à nous. Votre comité vous propose donc d'accepter le vœu libre de ces citoyens, de former du ci-devant Hainaut dit autrichien, un quatre-vingt-sixième département sous le nom de département de Jemmapes, d'abattre à l'instant toutes les barrières commerciales qui nous en séparent encore, et de transférer les bureaux des douanes jusqu'aux nouvelles limites de la République.

Voici ce projet de décret:

" La Convention nationale, après avoir entendu le rapport de son comité diplomatique sur le vœu librement émis par le peuple souverain du pays de Hainaut, dans ses assemblées primaires, pour sa réunion à la République française, déclare, au nom du peuple français, qu'elle accepte ce vœu, et en conséquence décrète ce qui suit:

ART. 1er. " Le pays de Hainaut fait partie intégrante du territoire de la République, et formera un quatre-

mense. At this moment, there is no existing authority; it is imperative to establish there an organization conforming to our principles, and we must hasten to institute an administration, and create there a department. The name of Jemmapes, so dear to liberty, so dear to Frenchmen, is the one they ask, the one that the citizens of the former Hainault, as a sovereign people, have given themselves in advance. Doubtless you will confirm this denomination which would alone suffice to guarantee the indissoluble ties which must unite them to us. Your committee therefore proposes to you to accept the free vote of these citizens, to form from the former Hainault called Austrian, an eighty-sixth department under the name of the Department of Jemmapes, to throw down at once all the commercial barriers which still separate us, and to transfer the custom houses to the new boundaries of the Republic.

Here is the draft of the decree:

" The National Convention, after having heard the report of its Diplomatic Committee concerning the vote freely given by the sovereign people of the country of Hainault, in their primary assemblies, for their union with the French Republic, declares, in the name of the French people, that it accepts this vote, and in consequence decrees as follows:

ARTICLE 1. " The country of Hainault forms an integral part of the territory of the Republic and will make vingt-sixième département, sous le nom de *département de Jemmapes.*

ART. 2. "Les bureaux de douanes établis sur les confins de la France et du ci-devant Hainaut sont supprimés, et seront transférés, dans le plus bref délai possible, aux limites extérieures du nouveau département.

ART. 3. "Les commissaires de la Convention nationale près les armées de la Belgique sont chargés de prendre toutes les mesures nécessaires pour la prompte exécution des lois de la République dans le département de Jemmapes, de procéder à la division et organisation provisoire de ce département en districts et cantons, et enfin de recueillir et transmettre à la Convention tout ce qui peut lui servir à fixer définitivement cette organisation.

ART. 4. "Le pays de Hainaut nommera, provisoirement 10 députés à la Convention nationale."

(*La Convention adopte ce projet de décret.*)[1]

an eighty-sixth department, under the name of the *Department of Jemmapes.*

ART. 2. "The customs offices established on the borders of France and of the former Hainault are suppressed, and shall be transferred, within the shortest possible time, to the outer boundaries of the new department.

ART. 3. "The Commissioners of the National Convention with the Armies of Belgium are charged to take all necessary measures for the prompt execution of the laws of the Republic in the Department of Jemmapes, to proceed to the division and provisional organization of this department into districts and cantons, and finally to gather and transmit to the Convention everything that may serve it in definitely settling this organization.

ART. 4. "The country of Hainault will nominate, provisionally, 10 deputies to the National Convention."

(*The Convention adopts this draft decree.*)

[1] At this same session of March 2, the deputation from the Principality of Salm on the frontiers of Alsace and Lorraine presented the vote of the Principality, cast in primary assemblies. Carnot immediately reported for the Diplomatic Committee in favor of accepting the vote. The decree was adopted at once, without debate, the territory being provisionally incorporated in the Department of the Vosges. (*Arch. parl.,* 1st series, vol. 59, p. 543.) Carnot thereupon presented a draft decree for the acceptance of the vote of the communes of Franchimont, Stavelot and Logne, which was also adopted without debate (*Arch. parl.,* 1st series, vol. 59, p. 544).

On March 3, the minutes of the communal assembly of the city of Bruges, asking for incorporation in the Department of Mer du Nord, were read before the Convention by a delegation from the city, and a decree of union was rendered without reference to the Diplomatic Committee (*ibid.,* p. 571).

On March 4, a letter of Lebrun, Minister of Foreign Affairs, was read, informing the Convention of the vote of Florennes and of thirty-six neighboring villages (*ibid.,* p. 599). The Diplomatic Committee was ordered to report on this at the same session. Its draft decree accepting the votes was adopted without debate (*ibid.,* p. 603).

### *Letter of the Citizens Rewbel, Merlin (de Thionville) and Haussmann, Commissioners of the National Convention to Mayence, Announcing the Erection of a Revolutionary Municipality. Read before the Convention, March* 12, 1793[1]

*Mayence, le* 4 *mars* 1793,
*l'an* II *de la République.*

. . . . .

CITOYENS NOS COLLÈGUES,

L'adresse qui nous a été présentée, et dont nous vous joignons une traduction littérale, vous prouvera qu'il y a actuellement à Mayence une munici-

*Mayence, March* 4, 1793.
*Year* II *of the Republic.*

. . . . .

CITIZENS AND COLLEAGUES:

The address which has been presented to us, and of which we enclose a literal translation, will prove to you that there is at present in exist-

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On March 6, three deputies from the City of Tournai presented the vote of the primary assemblies of the city. The Diplomatic Committee at once reported in favor of acceptance and the decree was adopted accordingly (*Arch. parl.,* 1st series, vol. 59, p. 648).

On March 8, three deputies of the City of Louvain presented the popular vote. Carnot reported for the committee at the same session and the Convention at once adopted the decree (*ibid.,* pp. 700, 703).

The minutes of the vote of the City of Ostende were read at the same session and accepted, on report of the Diplomatic Committee, on March 9 (*ibid.,* p. 702; vol. 60, p. 11).

The vote of Namur, presented on March 9 (*ibid.,* p. 10), was accepted on March 11, together with those of several neighboring villages (*ibid.,* p. 87).

The minutes of the vote of Porentrui (on the Swiss frontier) formed into the General Assembly of Rauracia and first reported on March 13 (*ibid.,* 154) in a letter from Lebrun, were laid before the Convention on March 16 (*ibid.,* p. 243) and referred to the Diplomatic Committee, which reported in favor of acceptance on March 23, under the name of the Department of Mont Terrible (*ibid.,* p. 490).

On March 14, the votes of Bergzabern, Oberhofen and twenty-nine other communities of Alsace were accepted, and union decreed (*ibid.,* p. 205).

On March 21 (*ibid.,* 368) Lebrun submitted the minutes of the primary assemblies of sixty-six communes of Tournesis, which were referred to the Diplomatic Committee and favorably reported on March 23 (*ibid.,* p. 487), and union decreed. The commissioners were instructed to form these communes into a district of the Department of Jemappes.

The vote of Tournai, like that of Liège, carried a reservation as to the mode of circulation of the *assignats.* The Diplomatic Committee reported that this was not a condition embodied in the vote of union but merely a request. The Convention, after decreeing the union, referred the request of the citizens to the Committee on Finance for immediate report.

On March 20 the communes of Biding, Enting, and Lelling-Empire were united to France, and on March 23 the vote of Bâle was accepted.

All of these decrees of union, either in the preamble or in Article 1, repeat the formula "The National Convention, having heard the report of its Diplomatic Committee regarding the vote freely expressed by the sovereign people of the communes of —— declares in the name of the French people that it accepts the vote of these communes for union with France, and decrees, in consequence, that these communes shall form, from the present time, an integral part of the territory of the French Republic. . . ."

[1] *Ibid.,* vol. 60, p. 105.

palité populaire et patriote. Elle est composé de personnes qui jouissent de l'estime des citoyens de tous les partis et nous ne pouvons que bien augurer de son administration.

*Les députés commissaires de la Convention nationale, pour l'exécution du décret du* 15 *décembre,*

*Signé:* W. HAUSSMANN, REWBELL.

Par les commissaires:

*Signé:* DEMANGEOT, *secrêtaire de la Commission.*

Suit la traduction de l'adresse présentée à ces commissaires par la municipalité (2):

" Citoyens législateurs:

" Nous sortons en ce moment de la cérémonie la plus solennelle qui ait jamais été vue à Mayence: nous venons ici d'une assemblée nombreuse d'hommes libres qui nous ont élus, selon les principes sacrés de la liberté et de l'égalité, et dans le sein desquels nous avons preté le serment le plus auguste de maintenir la liberté et l'égalité, le bien du peuple, et de remplir fidèlement nos devoirs.

" Mayence doit à la généreuse, à la noble nation française, l'événement heureux de pouvoir insérer dans ses annales l'époque importante où l'esclave opprimé a brisé ses pesantes chaînes; où un peuple fortement courbé sous le despotisme, a reconquis ses droits naturels, et où l'homme libre a repris, dans tout son éclat, sa dignité primitive, et sa place parmi ses frères libres.

ence at Mayence a popular and patriotic Municipality. It is composed of persons who enjoy the esteem of the citizens of all parties and we can entertain only the best expectations regarding its administration.

*The Deputy Commissioners of the National Convention for the Execution of the Decree of December 15.*

(*Signed*): W. HAUSSMANN, REWBELL.

For the Commissioners:

(*Signed*): DEMANGEOT,
*Secretary to the Commission.*

The translation of the address presented to the Commissioners by the Municipality follows (2):

" Citizen Legislators:

" We come direct from the most solemn ceremony which Mayence has ever witnessed; we come here from a numerous assembly of free men who have elected us according to the sacred principles of liberty and of equality, and before whom we have taken the most solemn oath to maintain liberty and equality, and the welfare of the people, and faithfully to fulfill our duties.

" Mayence owes to the generous and noble French Nation the happy event of being able to insert in her annals the important epoch when the oppressed slave has broken his heavy chains; when a people grievously bowed under despotism has reconquered its natural rights, and when the free man has resumed in all splendor his primitive dignity and his place among his free brothers.

" Mais vos soins infatigables, citoyens législateurs, n'ont pas peu contribué à achever notre bonheur actuel; recevez-en d'abord nos remerciements les plus vifs, et permettez-nous ensuite de témoigner, avec le sentiment le plus profond, notre respect envers une nation qui n'est pas contente d'être seule heureuse, mais se donne les soins les plus assidus pour faire pareillement le bonheur des peuples si différents d'elle par leur langage et par leurs mœurs.

" Faites part, nous vous en prions instamment, de nos sentiments à votre généreuse nation, et priez-la, en notre nom, de nous continuer sa puissante protection pour l'achèvement de l'ouvrage que nous commençons dans cette contrée pour le bien de l'humanité. Et vous, citoyens législateurs, continuez-nous votre confiance, et accordez votre amour, non seulement à nous, mais au peuple dont nous sommes les magistrats. Témoignez, selon votre cœur, ainsi que vous l'avez dit si souvent vous-mêmes, que ce peuple est bon, qu'il mérite la plus grande attention; et soyez assurés, de notre part, que nous mourrons plutôt que de devenir infidèles au bien-être du peuple, et aux principes de la liberté et de l'égalité.

"*Mayence, le* 3 *mars* 1793, *l'an II de la République française,*

"*Signé:* Macké, *maire;* Umpfenbach, *officier municipal;* Patocki, *officier municipal;* Hasselin, *officier municipal;* Nichel, *officier municipal;* Paul Emmerich, *officier municipal;* J.-B. Gaal, G.-E. Faciola,

" But your indefatigable care has contributed not a little to the achievement of our present happiness; first receive for it our most sincere gratitude and then permit us to testify with the most profound sentiment to the respect we feel towards a nation which is not content to be happy alone but which exerts the greatest care in order to bring equal happiness also to the people so different from her in language and customs.

" We earnestly beg you to make known our sentiments to your generous Nation and beg it, in our name, to continue towards us its powerful protection for the sake of the achievement of the work which we are beginning in this country for the welfare of humanity. And you, Citizen Legislators, continue to accord us your confidence and your love, and not only to us but to the people whose magistrates we are. Bear witness, according to your heart, as you have yourselves so often said, that this people is worthy, that it merits the greatest attention; and be assured that for our part we will die sooner than become unfaithful to the welfare of the people, and to the principles of liberty and equality.

" *Mayence, March 3rd,* 1793, *Year II of the Republic.*

" (*Signed*) Macké, *Mayor;* Umpfenbach, *Municipal official;* Patocki, *Municipal officer;* Hasselin, *Municipal officer;* Nichel, *Municipal officer;* Paul Emmerich, *Municipal Official;* J.-B. Gaal, G. E.

*officier municipal;* Stephan Lindt, *officier municipal;* L. Eiser, *officier municipal;* Standenheriner, *officier municipal;* Endleih, *officier municipal;* Muller Wilhelm, Wanmann, *procureur de la commune;* Niderhuber, *procureur substitut;* J.-B. Reussing, *secrétaire de la municipalité;* Enhborn, *secrétaire.*

*" Pour copie conforme:*

*" Signé:* Demangeot, *secrétaire de la commission."*

(*La Convention ordonne l'insertion de cette traduction au Bulletin.*)

Faciola, *Municipal Official;* Stephan Lindt, *Municipal Official;* L. Eiser, *Municipal Official;* Standenheriner, *Municipal Official;* Endleih, *Municipal Official;* Muller Wilhelm, Wanmann, *Communal-Attorney;* Niderhuber, *vice Communal Attorney*; J. B. Reussing, *Secretary to the Municipality;* Enhborn, *Secretary.*

*" Authentic Copy:*

" (*Signed*) Demangeot, *Secretary to the Commission."*

(*The Convention orders the insertion of the translation in the Bulletin.*)

## *Letter of General Dumouriez, Commander-in-Chief of the Army of the North, to the National Convention. March* 12, 1793 [1]

Citoyen Président, le salut du peuple est la loi suprême: je viens de lui sacrifier une conquête presqu'assurée, en quittant la portion victorieuse de l'armée prête à entrer dans le cœur de la Hollande, pour venir au secours de celle qui vient d'essuyer un revers, qu'on doit à des causes physiques et morales, que je vais vous développer. . . .

On vous flatte, on vous trompe, je vais achever de déchirer le bandeau. On a fait éprouver aux Belges tous les genres de vexations; on a violé à leur égard les droits sacrés de la liberté; on a insulté avec impudence leurs opinions religieuses; on a profané par un brigandage très-peu lucratif, les in-

Citizen President: the welfare of the people is the supreme law: I have just sacrificed to it a conquest almost assured, by leaving the victorious portion of the army ready to enter into the heart of Holland, in order to come to the aid of that which has just suffered a reverse due to physical and moral causes, which I am about to explain to you. . . .

You have been flattered, you have been deceived; I am going to attempt to tear off the bandage. The Belgians have been made to suffer all kinds of vexations; their sacred rights of liberty have been violated; their religious opinions have been impudently insulted; the articles of their

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[1] *Moniteur,* No. 84, p. 376.

struments de leur culte; on vous a menti sur leur caractère et sur leurs intentions; on a opéré la réunion du Hainaut à coups de sabres et à coups de fusils; celle du Bruxelles a été faite par une vingtaine d'hommes, qui ne pouvaient trouver d'existence que dans le trouble, et par quelques hommes de sang qu'on a rassemblés pour intimider les citoyens. . . .

Vos finances étaient épuisées, lorsque nous sommes entrés dans la Belgique; votre numéraire avait disparu ou s'achetait au poids de l'or. Cambon, qui peut être un honnête citoyen, mais qui certainement est au-dessous de la confiance que vous lui avez donnée pour la partie financière, n'a plus vu de remède que dans la possession des richesses de cette fertile contrée. Il vous a proposé le fatal décret du 15 décembre; vous l'avez accepté unanimement, et cependant chacun de ceux d'entre vous à qui j'en ai parlé, m'a dit qu'il le désapprouvait, et que ce décret était injuste. Un de mes quatre mémoires était dirigé contre ce décret; on ne l'a pas lu à l'Assemblée. Le même Cambon a cherché à rendre mes remonstrances odieuses et criminelles, en disant à la tribune que j'apposais un *veto* sur le décret de l'Assemblée. Vous avez confirmé ce décret par celui du 30 décembre; vous avez chargé vos commissaires de tenir la main à son exécution. D'après vos ordres, le pouvoir exécutif a envoyé au moins trente commissaires; le choix en est très mauvais, et à l'exception de quelques gens hon-

worship have been profaned by a brigandage but little lucrative; you have been lied to concerning their character and their intentions; the union of Hainault was effected by means of sabres and muskets; that of Brussels was accomplished by about twenty men who could not exist except in disorder, and by some men of violence who were gathered together to intimidate the citizens. . . .

Your finances were exhausted when we entered Belgium; your cash had disappeared or was worth its weight in gold. Cambon, who may be an honest citizen, but who certainly is beneath the confidence you have given him in financial matters, saw no further remedy except in the possession of the wealth of this fertile country. He proposed to you the fatal decree of the 15th of December; you accepted it unanimously, notwithstanding that each one among you with whom I have talked about it, told me that he disapproved it, and that the decree was unjust. One of my four memorials was directed against this decree; it was not even read to the Assembly. The same Cambon tried to render my remonstrances odious and criminal, by saying in the tribune that I was putting a veto upon the decree of the Assembly. You confirmed this decree by that of the 30th of December; you charged your commisioners to lend a hand in its execution. According to your orders the executive power sent at least thirty commissioners. The choice was very bad, and with the

nêtes, qui sont peut-être regardés comme des citoyens douteux, parce qu'ils cherchent à mitiger l'odieux de leurs fonctions, la plupart sont ou des insensés, ou des tyrans, ou des hommes sans réflexion, qu'un zèle brutal et insolent a conduits toujours au-delà de leurs fonctions.

Les agens de la tyrannie ont été répandus sur la surface entière de la Belgique: les commandans militaires, par obéissance au décret, ont été obligés d'employer, sur leur réquisition, les forces qui leur étaient confiées; ces exacteurs ont achevé d'exaspérer l'âme des Belges. Dès lors la terreur et peut-être la haine ont remplacé cette douce fraternité qui a accompagné nos premiers pas dans la Belgique; c'est au moment de nos revers que nos agens ont déployé le plus d'injustice et de violence.

Vous avez été trompés sur la réunion à la France de plusieurs parties de la Belgique; vous l'avez crue volontaire, parce qu'on vous a menti. Dès-lors vous avez cru pouvoir enlever le superflu de l'argenterie des églises, pour subvenir sans doute aux frais de la guerre. . . . Les prêtres et les moines ont profité de cet acte imprudent, et ils nous ont regardés comme des brigands qui fuient, et partout les communautés des villages s'arment contre nous. Ce n'est point ici une guerre d'aristocratie; car notre révolution favorise les habitans des campagnes, et cependant ce sont les habitans des campagnes qui s'arment contre nous, et le tocsin sonne de toutes parts. C'est pour eux

exception of some honest men, who are perhaps regarded as doubtful citizens because they seek to lessen the odium of their duties, most of them are either fools or tyrants, or men without judgment, whom a brutal and insolent zeal has continually led beyond their functions.

The agents of tyranny have been scattered over the whole surface of Belgium; the military commandants, through obedience to the decree, have been obliged to employ the forces entrusted to them upon their requisition; these extortioners have succeeded in exasperating the mind of the Belgians. From that time terror and perhaps hatred have replaced the kindly fraternity which accompanied our first steps in Belgium; at the moment of our reverses our agents have most displayed injustice and violence.

You have been deceived regarding the union with France of several parts of Belgium; you believed it voluntary, because some one lied to you. From that moment you thought you could carry off the superfluity of silverware in the churches, doubtless to defray the expenses of the war. . . . The priests and monks profited by this important act, and have looked upon us as fleeing brigands and everywhere the communities in the villages are arming against us. This is not now a war of aristocracy; for our revolution favored the country people, and yet it is the inhabitants of the country who are arming against us, and the tocsin is une guerre sacrée; c'est pour nous une guerre criminelle. Nous sommes en ce moment environnés d'ennemis; . . .

*Le général en chef,* DUMOURIER.

sounding on all sides. For them it is a holy war; for us it is a criminal war. We are at this moment surrounded by enemies; . . .

DUMOURIER, *Commander-in-Chief.*

## *Report made before the National Convention by Haussmann, Commissioner to the Armies of the Rhine, the Vosges and the Moselle. March* 30, 1793 [1]

HAUSSMANN. Citoyens, lorsque l'armée de la Belgique est en déroute, vous apprendrez sans doute avec satisfaction que celle des Vosges, qui se trouve dans la partie la plus riche et la plus belle de vos conquêtes, est dans la meilleure position et le meilleur état possible.

Je suis parti lundi passé, 25 mars, de Mayence. Le général Custine s'est porté au-delà de Creutznach, en descendant le Rhin, avec un corps de 20,000 hommes et il a repoussé l'ennemi. Il s'est emparé de vive force du château de Stromberg, où les ennemis ont perdu beaucoup de monde, et où on leur a fait 37 prisonniers, qui ont été sur-le-champ conduits à Landau. L'armée occupe maintenant tous les défilés, presqu' inaccessibles, qui conduisent de Mayence à Baccarat, Rheinsfelds et Coblentz.

. . . . .

Il est inconcevable pour ceux qui connaissent le pays, qui connaissent la force de Mayence et de Cassel, le courage et la bonne tenue des troupes qui les défendent, qu'on ait eu le projet de les faire rétrograder d'un pays d'où

HAUSSMANN. Citizens, at a time when the Army of Belgium is put to rout, you will doubtless hear with satisfaction, that that of the Vosges, which is in the richest and most beautiful part of your conquests, is in the best position and state possible.

I left Mayence on Monday last, March 25th. General Custine has advanced beyond Creutznach, in his descent of the Rhine, with a force of 20,000 men and he has repulsed the enemy. He has seized by force the château of Stromberg, where the enemy lost large numbers, and where thirty-seven prisoners were taken who were forthwith conducted to Landau. The army now occupies all the defiles, almost inaccessible, which lead from Mayence to Baccarat, Rheinsfelds and Coblentz.

. . . . .

It is inconceivable for those who know the country, who know the strength of Mayence and of Cassel, the courage and the fine bearing of the troops which are defending them, that anyone should propose their re-

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[1] *Arch. parl.,* 1st series, vol. 60, p. 713. Cf. *ibid.,* p. 729.

non seulement elles tirent toutes leurs subsistances en abondance, mais d'où elles peuvent en verser dans l'intérieur. Eh bien! on a véritablement conçu ce projet perfide: il a été agité publiquement à Strasbourg un plan de pétition pour faire rétrograder cette armée; et il ne serait pas étonnant que ces intrigues ne fussent combinées avec la conduite qu'on a tenue en Belgique; mais les auteurs de ce projet se trompent terriblement. Non, Mayence ne sera jamais livrée; jamais, tant qu'un général comme Custine et que vos commissaires y seront, elle ne tombera au pouvoir de l'ennemi. (*Applaudissements.*)

Vos commissaires se sont occupés de l'exécution des décrets de 15 et 17 décembre, et jusqu'à présent nous y avons parfaitement réussi. Après avoir convoqué les assemblées primaires pour le premier février, nous sommes allés visiter l'armée de la Moselle. A notre retour, nous avons trouvé que les agitateurs, les intrigants, les partisans de privilèges, enfin que toute la clique aristocratique, s'était liguée pour empêcher l'exécution du décret. De toutes parts on venait nous faire des réclamations, mais elles n'étaient signées, que par des aristocrates connus. Nous avons tenu ferme, et le décret a été exécuté. (*Applaudissements.*)

La Convention mayençoise a ouvert ses séances le 17 de ce mois. Le 18, elle a déclaré son indépendance et la déchéance de tous les chanoines, prêtres, seigneurs, magistrats hérédi-

treat from a country from which not only do they derive all their subsistence in plenty, but from whence they can march into the interior. Well, this perfidious project has really been conceived; there has been agitated publicly in Strassburg a petition for the retreat of the army, and it would not be astonishing if their intrigues were connected with the conduct which has been followed in Belgium; but the authors of this project are terribly deceived. No, Mayence will never be freed; never, while a general like Custine and while your commissioners are there, will it fall into the enemy's power. (*Applause.*)

Your commissioners are occupied with the execution of the decree of December 15th and 17th and until the present time, we have succeeded perfectly. After convoking the primary assemblies for February first, we went to visit the Army of the Moselle. On our return, we found that the agitators, plotters, partisans of the privileged classes and, in fine, the whole aristocratic clique, was in league to prevent the execution of the decree. From all parts protests came to us but they were signed only by known aristocrats. We held firm and the decree was executed. (*Applause.*)

The Convention of Mayence opened its session on the 17th of this month. On the 18th, it declared its independence and the deposition of all the canons, priests, seigneurs,

taires, etc., de leurs droits et privilèges et elle a décrété que, dans le cas où ils feraient des tentatives pour y rentrer, ils seraient punis de mort. Le 21 la Convention mayençoise a décrété, à l'unanimité, sa réunion à la République française. (*Double salve d'applaudissements.*)

Nous avons été forcés pour soutenir ces mesures, pour déjouer les agitateurs et les aristocrates, pour éviter que le scènes de Francfort ne se renouvellassent de faire déporter les chefs connus de ces complots; partout ces chefs étaient des baillis, des prêtres et des nobles; nous avons cru devoir les traiter en ennemis, puisqu'ils se montraient ceux du peuple; et c'est pour les mettre dans l'impossibilité de nuire, que nous avons cru devoir ordonner leur extradition. Cette mesure a été suivie librement et paisiblement, et tout s'est parfaitement bien organisé. Je proposerai au comité de défense générale des mesures ultérieures qui seront à prendre.

Je vous ai dit que, le 21, la Convention mayençoise a décidé à l'unanimité sa réunion à la République française. Les députés, qui vous apportent son vœu sont ici. Je demande qu'ils soient introduits.

. . . . .

Penières. Citoyens vos commissaires vous ont rendu compte de l'état de l'armée des Vosges. . . . Je de-

hereditary magistrates, etc., of all their rights and privileges, and decreed that in case they should make efforts to return, they should be punished with death. On the 21st the Convention of Mayence unanimously decreed its union with the French Republic. (*Double salvos of applause.*)

We have been forced in order to support these measures, in order to frustrate the agitators and the aristocrats, and to prevent the scenes of Francfort from being repeated, to cause the known chiefs of these plots to be deported; everywhere these chiefs were bailiffs, priests and nobles; we considered it our duty to treat them as enemies, since they had so shown themselves to the people; and in order to make it impossible for them to do injury, we thought it our duty to order their extradition. This measure was followed freely and peacefully, and everything was perfectly organized. I shall propose to the Committee on General Defence the further measures which should be taken.

I have told you that, on the 21st, the Convention of Mayence decided unanimously for Union with the French Republic. The deputies who are carrying their vote to you are here. I request that they be admitted.

. . . . .

Penières. Citizens, your commissioners have given you a report of the state of the Army of the Vosges.

mande que vous décrétiez que l'armée des Vosges a bien mérité de la patrie.

*Voix diverses.* Et les commissaires aussi.— L'impression du rapport!

Cambon. Citoyens une grande affaire va occuper l'Assemblée. Le système qu'elle avait adopté va être jugé par l'Europe. Par bonheur nous avons besoin de comparaisons dans deux endroits différents du même système: dans l'un, une prompte exécution; dans l'autre une rare obstination à ne point l'executer. (*Interruptions.*) Malgré les interrupteurs, je demanderai à parler lorsque l'Assemblée m'aura conservé la parole.

(La Convention décrète que Cambon sera entendu.)

Cambon. On a demandé de décréter que l'armée des Vosges a bien mérité de la patrie; je ne sais si c'est l'époque actuellement. On a proposé également d'imprimer le rapport que vient de nous faire le citoyen Haussmann, l'un de vos commissaires; c'est sur cette partie que j'ai demandé à parler. J'observerai qu'à une époque peu éloignée, on nous dit au comité qu'il y avait, dans la République, des lettres qu'on était à même de nous montrer; que ces lettres nous annonçaient que nous avions perdu Mayence comme nous avions perdu la Belgique (*et je citerai les membres qui étaient présents*), des lettres où l'on représentait nos commissaires à Mayence comme des brigands, des let-

. . . I request that you decree that the Army of the Vosges has deserved well of the country.

*Diverse Voices.* And the commissioners also. Print the report!

Cambon. Citizens, an important matter is about to occupy the Assembly. The system which it has adopted is going to be judged by Europe. Fortunately we must compare the same system in the two different localities; in the one, a prompt execution; in the other, an unusually obstinate determination not to execute it. (*Interruptions.*) In spite of these interruptions, I shall demand the right to speak when the Assembly shall have come to order and have granted me the right to speak.

(The Convention decrees that Cambon shall be heard.)

Cambon. It is proposed that we decree that the Army of the Vosges has deserved well of the country. I do not know whether this is the proper time for such action. It has been proposed also to print the report which has just been made to us by Citizen Haussmann, one of your Commissioners; it is on this point that I demand the floor. I shall observe that a short time ago we were told in committee that there were letters in the Republic which were to be shown to us; that these letters told us that we had lost Mayence as we had lost Belgium (*and I shall name those members who were present*), letters in which our Commissioners to Mayence were represented as

tres où l'on assurait qu'on n'avait pas le vœu du peuple; et c'est par de pareilles lettres, et c'est avec cette opinion qu'on cherche à tout désorganiser. Eh bien! tout est contredit par nos commissaires, et l'enthousiasme que l'Assemblée met à vouloir témoigner qu'ils ont bien mérité de la patrie, doit terrasser la calomnie. Mais cela ne suffit pas. Les lettres circulent, les lettres corrompent l'esprit public, condamnent nos systèmes. Il est important que nos commissaires ne s'en tiennent pas à un rapport, comme ils l'ont fait; c'est par une impression de toutes leurs délibérations qu'on les jugera, et qu'on montrera à l'Europe à juger de nos opérations. Je demande donc non pas l'impression du rapport fait par le citoyen Haussmann, mais que le citoyen Haussmann soit chargé de présenter un tableau à la Convention, de toutes ses opérations, de l'esprit public qui règne à Mayence afin de détruire les fausses impressions que l'on cherche à répandre dans toute l'Europe. (*Applaudissements.*)

**Bréard.** J'appuie la proposition faite par Cambon; mais d'après ce que vient de me dire le citoyen Haussmann, il est impossible que cette proposition de Cambon puisse être admise dans ce moment-ci. Le commissaire n'a pas rapporté avec lui toutes les pièces qui seraient nécessaires pour rédiger un rapport tel que Cambon le demande. Il faut se contenter de décréter, dans ce moment-ci, l'impres-

brigands, letters which assured us that the vote of the people had not been taken; and it is by such letters and it is by means of such opinions that an attempt is being made to disorganize everything. Well! everything is contradicted by our commissioners, and the enthusiastic desire of the Assembly to bear witness to the fact that they have deserved well of the country should destroy the calumny. But that is not sufficient. Letters circulate, letters corrupt the public morale, condemn our systems. It is important that our commissioners should not rest with one report as they have done; it is by printing all their deliberations that they will be judged, and that we shall call Europe to judge of our actions. I do not, therefore, move the printing of this report made by Citizen Haussmann, but that Citizen Haussmann shall be instructed to present to the Convention an account of all his acts and of the public opinion which prevails at Mayence, in order to destroy the false impressions which there is an attempt to spread throughout Europe. (*Applause.*)

**Bréard.** I support the proposition made by Cambon, but according to what Citizen Haussmann has just said to me, it is impossible for this proposition of Cambon to be admitted at this time. The Commissioner has not brought with him all the documents which would be necessary to the drawing up of a report such as Cambon asks for. We must be contented to decree at this time the print-

sion du rapport fait par notre collègue, sauf, après cela, de décréter l'impression du rapport du citoyen Haussman. Je demande que l'on se borne à décréter l'impression du rapport d'Haussmann où se trouve plus qu'une mention honorable de la conduite de l'armée des Vosges.

(*La Convention décrète l'impression du rapport d'Haussman, ainsi que son envoi aux départements et aux armées; elle ordonne ensuite l'admission immédiate à la barre des députés du peuple Rhéno-germanique.*)

ing of the report made by our colleague, and after that to decree the printing of the report of Citizen Haussmann. I move that we limit ourselves to decreeing the printing of Haussmann's report in which is found more than one honorable mention of the conduct of the Army of the Vosges.

(*The Convention decrees that the Haussmann Report be printed and sent at once to the Departments and to the Armies; it thereupon orders that the deputies of the Rhéno-Germanic people be immediately admitted to the bar.*)

## *Address of the National Rhéno-Germanic Convention to the French Republic, and Vote of Union by the National Convention of France. March* 30, 1793 [1]

La Convention nationale Rhéno-Germanique, à la Convention nationale de la République française.

Citoyens législateurs:

Ce n'est pas la chute d'un seul despote que nous allons vous annoncer. Le peuple Rhéno-Germanique a renversé les prétendus trônes de vingt petits tyrans, tous avides de sang humain, tous engraissés de la sueur des pauvres et des malheureux.

Sur les ruines de leur puissance arbitraire le peuple souverain s'est assis; il a choisi ses magistrats et ses représentants: il les a investis de sa confiance et de la pléntitude de son pouvoir.

The National Rhéno-Germanic Convention to the National Convention of the French Republic.

Citizen Legislators:

We are not come to announce to you the fall of one despot only. The Rhéno-Germanic people have overturned the thrones claimed by twenty petty tyrants, all thirsty for human blood, all grown fat on the sweat of the poor and the unfortunate.

The sovereign people is seated on the ruins of their arbitrary power; it has chosen its magistrates and its representatives; it has invested them with its confidence and the fulness of its power.

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[1] *Arch. parl.*, vol. 60, p. 715. The address was delivered to the Convention by the deputation from the "Representatives of the Free Rhéno-Germanic People," composed of the Citizens George Forster, Franck, and Hofmann.

Les représentants du peuple libre Rhéno-Germanique constitués en Convention nationale à Mayence, après avoir déclaré à l'univers que les tyrans de ces contrées étaient déchus de tous leurs droits usurpés, ont prononcé la peine de mort contre ceux d'entre eux qui oseraient reparaître pour les revendiquer.

Mais ces actes de souveraineté ne doivent être que les précurseurs d'une démarche plus importante encore. C'était peu d'avoir fait écrouler l'édifice de l'ancienne tyrannie, il fallait reconstruire celui de la félicité publique. Les représantants du peuple connaissaient le vœu unanime de leurs commettants; ils ne font que prononcer aujourd'hui le sentiment qui est dans tous les cœurs, en vous demandant la réunion de leur pays à la République française.

· · · · ·

Nous venons vous offrir la réunion de ce qui vous appartient de droit. La nature elle-même a voulu que le Rhin fût la frontière de la France, il l'a été dans les premiers siècles de l'Empire français. Il n'y a pas jusqu'aux ministres de vos tyrans qui n'en aient senti le prix; et lorsqu'il s'agissait de les détourner de l'infâme alliance avec l'Autriche, ils en marchandèrent la possession chez Frédéric de Brandebourg. Et bien, cette réunion tant convoitée, que les intrigues des rois n'ont jamais pu effectuer, elle n'aura coûté qu'un léger effort aux armées victorieuses de la liberté.

Nous venons vous offrir la ré-

The Representatives of the Rhéno-Germanic people, constituted in National Convention in Mayence, having declared to the world that the tyrants of these countries are stripped of all their usurped rights, have pronounced sentence of death against those among them who shall dare to reappear to claim them back.

But these acts of sovereignity should be but the precursors of an act still more important. It is little to have caused the edifice of the former tyranny to crumble, it is necessary to reconstruct that of public felicity. The representatives of the people are cognizant of the unanimous wish of their constituents; in asking of you the union of their country with the French Republic they voice to-day only the sentiment, which is in all hearts.

· · · · ·

We come to offer you the union which belongs to you of right. Nature herself has desired that the Rhine should be the frontier of France, it was so in the first centuries of the French Empire. Even the ministers of your tyrants felt the value of it and when an attempt was made to wean them away from the infamous alliance with Austria they bargained with Frederick of Brandenburg for its possession. Ah, well! this union so desired, which the intrigues of kings have never been able to effect, has cost but a slight effort on the part of the victorious armies of Liberty.

We come to offer you the union

union de Mayence, du siège de ce prêtre superbe dont l'ambition démesurée ne lui vaudra dans l'histoire que le nom d'incendiaire; Mayence, au confluent du Rhin et du Mein, où le commerce d'Allemagne viendra se concentrer entre les mains du négociant français; Mayence, la clef de l'Empire germanique, et la seule ouverture par laquelle vos provinces étaient accessibles aux armées et aux convois d'artillerie de vos ennemis; Mayence enfin reconnue par les maîtres de l'art pour un chef-d'œuvre de fortification, où les efforts impuissants des despotes ligués contre vous viendront échouer toutes les fois qu'ils oseraient concevoir le projet insensé de l'attaquer.

C'est là, représentants du souverain français, l'expression fraternelle de notre reconnaissance, le premier élan des âmes libres que vous avez reconquises à la liberté. Nous ne sommes fiers des avantages qui réunissent nos contrées, que parce que nous pouvons les porter en don à nos libérateurs. (*Applaudissements.*) Ces avantages, ces besoins de réunion sont réciproques, et la candeur de peuple rhéno-germanique n'est pas en retard pour vous en faire l'aveu; mais il craindrait de blesser et votre dignité et la pureté de son affection par un calcul minutieux. L'amour des peuples, comme l'amour des sexes, doit égaliser les conditions; et ne savons-nous pas que si vous vous rendez à nos sollicitations, si vous incorporez les contrées rhéno-germaniques dans la République française, ce sera la sincérité et l'ardeur avec lesquelles nous

of Mayence, the seat of that haughty priest whose measureless ambition has won for him in history only the title of "Incendiary"; Mayence at the junction of the Rhine and the Main, where the commerce of Germany will come to be gathered together in the hands of the merchants of France; Mayence, the key of the Germanic Empire, and the sole path by which your provinces were accessible to the armies and the convoys of artillery of your enemies; Mayence, in fine, recognized by the masters of the art as the masterpiece of fortifications, where the powerless efforts of the despots leagued against you were destroyed each time that they dared to conceive the insensate idea of attacking it. Here, Representatives of the French Sovereign, is the fraternal expression of our gratitude, the first burst of free souls which you have reconquered for Liberty. We are proud of the advantages which unite our countries, only because we can bring them as gifts to our liberators. (*Applause.*) These advantages, these needs for union are mutual, and the candor of the Rhéno-Germanic people is not slow to avow it to you; but it fears to wound both your dignity and the purity of its affection by a minute calculation. The love between peoples, like love between the sexes, should equalize conditions, and do we not know that if you yield to our prayers, if you incorporate the Rhéno-Germanic countries in the French Republic, it will be the sincerity and the ardor with nous jetons entre vos bras, qui pourront seules vous décider?

Fait en Convention nationale à Mayence, le vingt-cinq mars mil sept cent quatre-vingt treize, et signé individuellement par tous les membres de la Convention.

*Signé:* And. Jos. Hofmann, *président;* Georges Forster, *vice-président, député de la ville de Mayence;* Franck, *secrétaire, député de Fusgeinheim.*

. . . . .

(*Les députés reçoivent du Président le baiser fraternel, au milieu des plus vifs applaudissements.*)

*La Convention rend le décret suivant:*

La Convention nationale, après avoir entendu l'adresse à elle présentée, au nom des peuples libres de la Germanie, par les députés de la Convention nationale séante à Mayence; vu aussi le décret rendu le 21 du présent mois par la même Convention, tendant à obtenir la réunion à la République française de toutes les villes et communes qu'elle représente, déclare, au nom du peuple français, qu'elle accepte ce vœu librement émis, et en conséquence décrète que les villes et communes de Mayence, Worms, Durkeim, Grünstadt, Fusgenheim, Ecklesheim, Wollstein, Schorusheim, Gumsheim, Altleiningen, Bleiderheim, Kallkoffen, Flonheim, Hoffosweiler, Imsbach, Nackenheim, Batzbach, Badenheim, Oberolm, Budenheim, Heringen, Oberlustadt, Karlsberg, Dudenhoffen, Ilbesheim,

which we throw ourselves into your arms, which have alone decided you?

Done in the National Convention at Mayence, the 24th of March, 1793, and signed individually by all the members of the Convention.

*Signed:* And. Jos. Hofmann, *President;* George Forster, *Vice President and deputy for the City of Mayence;* Franck, *Secretary and deputy for Fusgeinheim.*

. . . . .

(*The deputies receive the fraternal kiss from the President, in the midst of great applause.*)

*The Convention issues the following decree:*

The National Convention, having heard the address presented to it, in the name of the free people of Germany, by the deputies of the National Convention sitting at Mayence; in view also of the decree issued by the same Convention on the 21st of the present month, with a view to obtaining union with the French Republic of all the towns and communes which it represents, declares in the name of the French people, that it accepts the vote freely expressed, and decrees in consequence that the town and communes of Mayence, Worms, Durkeim, Grünstadt, Fusgenheim, Ecklesheim, Wollstein, Schorusheim, Gumsheim, Altleiningen, Bleiderheim, Kallkoffen, Flonheim, Hoffosweiler, Imsbach, Nackenheim, Batzbach, Badenheim, Oberolm, Budenheim, Heringen, Oberlustadt, Karls-

Neubamberg, Niedersaulheim, Sarmsheim, Obergheim, Hanheim, Reistal, Rudelskerchen, Hertlingshausen, Kindenheim, Alsenborn, Niederolm, Weinweiler, Genicofin, Wendelsheim, Relsberg, Mülheim, Sprendlingen, Bissersheim, Niederlustadt, Essingen, Schonborn, Algesheim, Rusbach, Hogelstein, Heidesheim, Wartenberg, Altoof, Mohrbach, Wollsheim, Niederhochlsatt, Obersaulheim, Dietersheim, Landstuhl, Finckenbach, Razheim, Schweisweil, Bobenheim, Heidesheim, Merterheim, Bretzenheim et Zalhlbach, Olkenheim, Waleine, Gross-Bockenheim, Schiffersheim, Lohusfels, Reibotzkem, Rugheim, Spallon, Kleinwinternheim, Weissenau, Marienborn, Cassel, Kleinbotheim Sembach, Dromersheim, Munsheim, Uffhoren, Büdesheim, Minchwesler, Brenheim, Neuhemsbach, Drais, font partie intégrante de la République.

Les commissaires de la Convention nationale aux armées des Vosges, du Rhin et de la Moselle, sont chargés de prendre toutes les mesures nécessaires pour l'exécution des lois de la République dans lesdites villes et communes, et de faire parvenir à la Convention nationale les renseignements nécessaires pour fixer le mode d'incorporation.

berg, Dudenhoffen, Ilbersheim, Neubamberg, Niedersaulheim, Sarmsheim, Obergheim, Hanheim, Reistal, Rudelskerchen, Hertlingshausen, Kindenheim, Alsenborn, Niederolm, Weinweiler, Genicofin, Wendelsheim, Relsberg, Mülheim, Sprendlingen, Bissersheim, Niederlustadt, Essingen, Schonborn, Algesheim, Rusbach, Hogelstein, Heidesheim, Wartenberg, Altoof, Mohrbach, Wollsheim, Niederhochlsatt, Obersaulheim, Dietersheim, Landstuhl, Finckenbach, Razheim, Schweisweil, Bobenheim, Heidesheim, Merterheim, Bretzenheim and Zalhlbach, Olkenheim, Waleine, Gross-Bockenheim, Schiffersheim, Lohusfels, Reibotzkem, Rugheim, Spallon, Kleinwinternheim, Weissenau, Marienborn, Cassel, Kleinbotheim Sembach, Dromersheim, Munsheim, Uffhoren, Büdesheim, Minchwesler, Brenheim, Neuhemsbach, Drais, form an integral part of the Republic.

The Commissioners of the National Convention to the Armies of the Vosges, the Rhine and the Moselle are instructed to take all the necessary measures for the execution of the laws of the Republic in the said cities and communes, and to cause such information to be imparted to the National Convention as shall be necessary in order to determine the method of incorporation.

# THE REPUBLICS OF MULHAUSEN AND GENEVA, 1798

## *The Directory Delegates Jean Ulric Metzger as Commissioner to the Republic of Mulhausen with Regard to the Vote of Union. January* 1, 1798[1]

EGALITÉ — FRATERNITÉ

Extrait des registres des délibérations du Directoire exécutif.

*Paris, le 9 Nivôse,*
*l'an VI de la République française une et indivisible.*

Le Directoire exécutif, informé que les citoyens de la République de Mulhausen doivent s'assembler incessamment pour délibérer sur leur réunion à la République française, arrête ce qui suit:

ART. 1$^{er}$. Le citoyen Metzger (Jean-Ulric), membre de l'administration centrale du département du Haut-Rhin, est nommé commissaire du gouvernement à l'effet de conférer avec les magistrats, citoyens et habitants de la République de Mulhausen, sur tout ce qui peut avoir trait à leur demande tendante à la réunion dont il s'agit, ainsi qu'aux opérations préliminaires et subséquentes y relatives.

ART. 2. Il est chargé en conséquence de recevoir le vœu des citoyens et habitants de la République de Mulhausen, de le constater, d'en stipuler

EQUALITY AND FRATERNITY

Extract from the minutes of the deliberations of the executive Directory.

*Paris 9th Nivôse,*
*year VI of the French Republic, One and Indivisible.*

The executive Directory, informed that the citizens of the Republic of Mulhausen are about to assemble at once to deliberate upon their union with the French Republic, resolves as follows:

ARTICLE 1. Citizen Metzger (Jean-Ulric), member of the central administration of the department of the Upper-Rhine, is named commissioner of the government for the purpose of conferring with the magistrates, citizens and inhabitants of the Republic of Mulhausen, regarding everything that may have relation to their request tending to the union in question, as well as the preliminary and subsequent operations relative thereto.

ART. 2. He is consequently charged to receive the vote of the citizens and inhabitants of the Republic of Mulhausen, to authenticate it, to stip-

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[1] Musée historique de Mulhouse, *Bulletin,* No. 21–25, p. 10 *et seq.*

le mode et les conditions par tel traité ou acte qu'il appartiendra et dont il adressera sur le champ un double au Directoire exécutif.

Art. 3. Il procédera de suite à l'organisation provisoire des autorités administratives et judiciaires qu'il y aura lieu d'établir dans le territoire réuni de Mulhausen.

. . . . .

*Le président du Directoire exécutif:*

Signé: Barras.

*Pour le Directoire exécutif: Le secrétaire général,*

Signé: Lagarde.

ulate the manner and conditions thereof by such treaty or act as shall be advised and of which he shall immediately send a duplicate to the executive Directory.

Art. 3. He shall at once proceed to the provisional organization of such administrative and judicial authorities as there shall be occasion to establish in the united territory of Mulhausen.

. . . . .

*The president of the executive Directory:*

Signed: Barras.

*For the executive Directory; The secretary general,*

Signed: Lagarde.

### *Address of Citizen Metzger to the Burgomasters and Council of the Republic of Mulhausen. January* 19, 1798 [1]

*Colmar, le 29 Nivôse, an VI.*

*Aux magnifiques et puissants seigneurs, Messieurs les bourguemaîtres et Conseil de la République de Mulhausen.*

Magnifiques et Puissans Seigneurs!

Le Directoire exécutif, instruit que les citoyens de la République de Mulhausen doivent s'assembler pour délibérer sur la réunion à la République française, m'a honoré de sa confiance en me nommant son commissaire aux fins de connaître le vœu des citoyens de la République de Mulhausen, et de

*Colmar 29th Nivôse, year VI.*

*To the great and powerful lords, the Burgomasters and Council of the Republic of Mulhausen.*

Great and Powerful Lords!

The executive Directory, informed that the citizens of the Republic of Mulhausen are about to assemble to deliberate upon union with the French Republic, have honored me with their confidence in naming me as their commissioner for the purposes of learning the wishes of the citizens

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[1] Musée historique de Mulhouse, *Bulletin,* No. 221–225, p. 10 *et seq.*

conférer avec vous, magnifiques et puissants seigneurs, les citoyens et habitants, sur tout ce qui peut avoir trait à la réunion dont il s'agit; de recevoir et constater vos vœux, ainsi que de stipuler du mode et des conditions. J'ai l'honneur de vous inviter à me faire connaître le vœu des citoyens de la République de Mulhausen en cas qu'il fut déjà émis, et me faire proposer le mode d'après lequel vous voudrez entrer en conférence avec moi, sur les différents points relatifs à la réunion à notre République; elle consolidera le bonheur et la tranquillité de vos concitoyens, que vous avez su maintenir jusqu'ici avec tant de sagesse.

J'ai l'honneur d'être avec la considération la plus distinguée, magnifiques et puissants seigneurs, votre très humble et très obéissant serviteur.

Signé: Jean-Ulric Metzger.

of the Republic of Mulhausen, and of conferring with you, great and powerful lords, the citizens and inhabitants, regarding everything that may have relation to the union in question; to receive and authenticate your votes, as well as to stipulate the manner and conditions. I have the honor to invite you to make known to me the vote of the citizens of the Republic of Mulhausen in case it has been already declared, and to propose to me the manner in which you would desire to enter into conference with me, upon the different points relative to the union with our Republic; it will consolidate the happiness and tranquillity of your fellow-citizens, which you have succeeded in maintaining up to this time with so much wisdom.

I have the honor to be, with the most distinguished consideration, great and powerful lords, your very humble and very obedient servant.

(Signed) Jean-Ulric Metzger.

### *Reply of the Magistracy. January* 19, 1798 [1]

*Mulhausen, le* 19 *Janvier* 1798.

*Le magistrat de Mulhausen au citoyen Metzger, commissaire du gouvernement.*

Citoyen Commissaire!

La lettre que vous nous avez fait l'honneur de nous écrire sous date du 29 Nivôse, an VI, nous fait connaître que vous êtes chargé du Directoire

*Mulhausen, 19th January* 1798.

*The Magistracy of Mulhausen to Citizen Metzger, Commissioner of the Government.*

Citizen Commissioner:

The letter which you have done us the honor to write us under date of the 29th Nivôse, year VI, informs us that you are charged by the executive

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[1] Musée historique de Mulhouse, *Bulletin*, No. 221–225, p. 10 *et seq.*

exécutif de la République française, de connaître le vœu des citoyens de Mulhausen, ainsi que de stipuler du mode et des conditions de notre réunion à la France. Vous nous invitez, en outre, de vous faire connaître le vœu pour la réunion, s'il est déjà prononcé, et le mode d'après lequel nous désirons entrer en conférence avec vous, sur les différents points de notre réunion à la République française.

Permettez, citoyen commissaire, que nous vous témoignions d'abord, combien il nous a fait plaisir d'apprendre que ce soit vous, dont les lumières et le caractère bienfaisant nous sont connus, qui ayez été chargé de cette commission.

Dans une assemblée générale de notre bourgeoisie, le vœu de nos concitoyens s'est tellement prononcé, que sur 606 votants, 591 ont été pour entrer de suite en négociations avec le gouvernement français, et 15 seulement ont été pour différer encore.

Quant au mode pour traiter avec vous, citoyen commissaire, nous proposerons demain dans une nouvelle assemblée de la bourgeoisie de nommer des députés, choisis parmi le magistrat et les bourgeois, pour traiter avec vous des conditions de notre réunion.

Veuillez, citoyen commissaire, être l'interprête auprès du Directoire de nos vœux pour la prosperité de la grande et généreuse République française, et être persuadé des sentiments de la considération la plus distinguée, avec laquelle nous avons l'honneur d'être, citoyen commissaire, vos très

Directory of the French Republic, to learn the wishes of the citizens of Mulhausen, as well as to stipulate the manner and conditions of our union with France. You invite us, moreover, to make known to you the vote for the union, if it has already been given, and the manner in which we desire to enter into conference with you, upon the different points of our union with the French Republic.

Permit us, Citizen Commissioner, to first testify to you how much pleasure it has given us to learn that it is you, whose intelligence and benevolent character are known to us, who have been charged with this commission.

In a general assembly of our citizens, the vote of our fellow-citizens was so given that out of 606 voters, 591 were for entering into immediate negotiations with the French government, and only 15 were for further delay.

As to the manner of treating with you, Citizen Commissioner, we will propose to-morrow in a new assembly of the citizens to name deputies, chosen among the magistracy and the citizens, to treat with you of the conditions of our union.

Be pleased, Citizen Commissioner, to be the interpreter to the Directory of our wishes for the prosperity of the great and generous French Republic, and to rest persuaded of the sentiments of the most distinguished consideration, with which we have the honor to be, Citizen Commissioner, humbles et très obeissants serviteurs.

Signé: Les Bourguemaîtres et Conseil de la Ville de Mulhausen.

your very humble and very obedient servants.

(Signed) The Burgomasters and Council of the City of Mulhausen.

## *Treaty of Union of the Republic of Mulhausen with the French Republic. January* 28, 1798[1]

Art. I. La République Française accepte le vœu des citoyens de la République de Mulhausen et celui des habitans de la commune d'Ylzach et de son annexe Modenheim, formant une dépendance de Mulhausen, et déclare lesdits citoyens et habitans *Français-nés.*

Art. II. Le gouvernement français, pour donner une marque de son attachement à ses anciens alliés, consent à prolonger leur état de neutralité, et les dispense, par conséquent, de toutes réquisitions réelles et personnelles et du logement des gens de guerre, pendant la durée de la guerre, jusqu'à la paix générale.

Art. III. Les citoyens et habitans de Mulhausen, d'Ylzach et de Modenheim, qui voudront quitter le territoire, auront la faculté de transporter en Suisse, ou ailleurs, leurs personnes et fortunes, duement constatées; on leur accorde une année, à dater de l'échange de la ratification des présentes pour sortir, et trois ans pour opérer la vente et liquidation de leurs biens et créances.

Article I. The French Republic accedes to the wish of the citizens of the Republic of Mulhausen and that of the inhabitants of the commune of Ylzach and its annex Modenheim, forming a dependency of Mulhausen, and declares the aforesaid citizens and inhabitants *French-born.*

Art. II. The French government, in order to give a mark of its attachment to its old allies, consents to prolong their state of neutrality, and, in consequence, dispenses them from all requisitions, real and personal, and from quartering men at arms, for the duration of the war and until a general peace.

Art. III. The citizens and inhabitants of Mulhausen, of Ylzach and of Modenheim, who may wish to quit the territory, shall have the right to transport into Switzerland, or elsewhere, their persons and possessions, duly authenticated; one year is accorded them, dating from the exchange of the ratification of these presents, to depart, and three years to complete the sale and liquidation of their property and debts.

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[1] Martens, *Recueil des traités,* vol. 7, p. 237.

Art. IV. Les biens de la ville, tant ceux qu'elle possède dans sa propre banlieue, que ceux qui lui appartiennent dans la banlieue d'Ylzach et qui sont régis par le magistrat et ses agens, ceux alloués à l'hôpital, les maisons publiques et celles qui contiennent des fonctionnaires publics, les moulins, usines, terres labourables, prés, pacages, forêts, situés, soit dans l'enclave du territoire de Mulhausen, soit hors ladite enclave, ainsi que les rentes et cens qui pourraient être dus, soit à la commune, soit à l'hôpital, ou telle autre corporation ou fondation de Mulhausen; en général, tout ce qui fait partie du patrimoine de ladite république, et ce qui s'entend sous le nom générique de biens communaux, appartiendront en toute propriété et sans aucune soustraction à la commune de Mulhausen.

Art. V. Les maisons, immeubles et capitaux qui étaient l'apanage des six corporations appelées tribus (Zünfte) sont également regardés comme biens communaux.

Art. VI. Les forêts, maisons et biens fonds des ordres Teutonique et de Malthe, de même que ce que possèdent en ville le chapitre d'Arlesheim et l'abbaye de Lucelles, sont acquis à la commune.

Art. VII. Les dispositions que la République de Mulhausen aura prises ou prendra encore jusqu'à l'échange de la ratification des présentes, relativement aux biens éconcés ès [*sic*] Articles IV, V et VI seront exécutés selon leur forme et teneur.

Art. IV. The property of the town, not only that which it possesses in its own suburbs, but that which belongs to it in the suburbs of Ylzach and which are managed by the magistrate and his agents, those granted to the hospital, public buildings and those for public functionaries, mills, factories, cultivable lands, fields, pastures, forests, situated either in the interior part of the territory of Mulhausen or outside the said interior, as well as the rents and quit-rents which may be due, either to the commune, or to the hospital, or any other corporation or foundation of Mulhausen; in general, all that makes a part of the patrimony of the said republic, and which is understood under the generic name of communal property, shall belong in all right and without any subtraction to the commune of Mulhausen.

Art. V. The dwellings, real estate and funds which were the apanage of the six bodies called guilds (Zünfte) are likewise regarded as communal property.

Art. VI. The forests, buildings and lands of the Teutonic Order and of the Order of Malta, as well as what the chapter of Arlesheim and the abbey of Lucelles possess in the town, shall belong to the commune.

Art. VII. The dispositions that the Republic of Mulhausen may have made or shall make up to the time of the exchange of the ratification of these presents regarding the properties in Articles IV, V and VI shall be carried out according to their form and tenor.

Art. VIII. Les maisons, capitaux, rentes, forêts, communaux et chenevières que la ville de Mulhausen vient de céder aux habitans d'Ylzach et de Modenheim, annexe dudit Ylzach, leur appartiendront en pleine propriété, sans aucune distraction, et ils en disposeront ainsi qu'ils aviseront et de la manière qui paraîtra la plus convenable à leurs intérêts.

Art. IX. Pour encourager l'agriculture paralysée des communes de Mulhausen et dépendances, le gouvernement français déclare que les rentes foncières emphytéotiques, et généralement quelconques, qui pesaient sur les biens fonds et immeubles des citoyens de Mulhausen et de leurs dépendances, au profit des ordres mentionnés dans l'Article VI et qui appartiendraient à la nation, sont abolies sans indemnité. Les possesseurs legitimes de ces biens seront délivrés de toute rétribution, et en jouiront en parfaite propriété.

Art. X. Le tribunal de commerce existant dans la commune de Mulhausen, y sera maintenu et organisé d'après les lois de la République Française. Il y aura deux notariats dans la ville de Mulhausen; l'un sera exercé par l'ancien greffier tabellion, et le second par un citoyen à nommer.

Les titres, documents et protocoles de la chancellerie seront déposés aux archives qui auront un garde archiviste à salarier par la commune. Il sera établi, pour faciliter les relations commerciales, une poste aux chevaux à Mulhausen; celle des lettres y est

Art. VIII. The buildings, funds, rents, forests, commons and hempfields that the town of Mulhausen has just ceded to the inhabitants of Ylzach and of Modenheim, the annex of the aforesaid Ylzach, shall belong to them in full right, without any diminution, and they may dispose of them as they wish and in the manner that seems the most suitable to their interests.

Art. IX. In order to encourage the paralyzed agriculture of the communes of Mulhausen and its dependencies, the French government declares that the ground rents, long term and any general rents whatsoever, which bore upon the lands and estates of the citizens of Mulhausen and of their dependencies to the profit of the orders mentioned in Article VI, and which should belong to the nation, are abolished without indemnity. The legitimate possessors of these lands are freed from all claims, and will possess them in perfect right.

Art. X. The commercial court existing in the commune of Mulhausen shall be maintained there and organized according to the laws of the French Republic. There shall be two notarial offices in the town of Mulhausen; one shall be administered by the former village notary, and the second by a citizen to be named.

The titles, documents and protocols of the chancellery shall be deposited in the archives which shall be under an archivist, whose salary shall be paid by the commune. To facilitate commercial relations a relay post shall be established at Mulhausen; the mail

maintenue. Le gouvernement français sera établi la communication directe avec Bâle, Colmar et Belfort; et pour faciliter l'expédition des affaires, il sera établi un bureau de timbre et d'enregistrement dans la commune de Mulhausen. L'époque de son activité sera fixée par le gouvernement, ainsi que celle des paiemens des contributions personnelles et foncières; et comme il n'existe ni cadastres, ni matrice de rôle, puisque les citoyens de Mulhausen ont été exempts des contributions, il sera établi une commission qui s'occupera de la confection du cadastre et des opérations préliminaires, pour fixer et répartir les contributions.

Et pour rassurer le commerce et l'industrie de Mulhausen, et maintenir le crédit des entrepreneurs qui travaillent avec des capitaux étrangers, le gouvernement français déclare qu'il entend conserver aux capitalistes de Mulhausen et dépendances, Suisses et autres étrangers, les mêmes droits, et le système législation qui existait avant la réunion de la République de Mulhausen, pour tous les actes, et engagements antérieurs à cette époque; tous les actes, soit hypothécaires, soit sous seing-privé; les dispositions, testamens, legs, et tous les jugemens antérieurs à la ratification de la présente, seront exécutés d'après les lois statuaires de la ville de Mulhausen.

Art. XI. La République de Mulhausen renonce à tous les liens qui

post is maintained there. The French government shall have direct communication established with Basle, Colmar and Belfort; and in order to expedite the transaction of business there shall be established a stamp and registry bureau in the commune of Mulhausen. The period of its active service shall be fixed by the government, as well as that of the payment of personal and land taxes; and as there exist neither land offices nor registers, since the citizens of Mulhausen have been exempt from taxes, there shall be established a commission which shall occupy itself with the drawing of a register and preliminary operations for fixing and apportioning the taxes.

And in order to restore the confidence of trade and industry in Mulhausen and to maintain the credit of the contractors working with foreign capital, the French government declares that it intends to conserve for the capitalists of Mulhausen and its dependencies, Swiss or other foreigners, the same rights, and the system of legislation which existed before the union of the Republic of Mulhausen, in regard to all instruments, and engagements previous to this period; all the instruments, whether mortgages or under privy seal; dispositions, wills, legacies, and all judgments anterior to the ratification of the present, shall be executed according to the statutory laws of the town of Mulhausen.

Art. XI. The Republic of Mulhausen renounces all the ties that l'unissaient au corps helvétique; elle dépose et verse dans le sein de la République Française ses droits à une souveraineté particulière, et charge le gouvernement français de notifier aux cantons helvétiques, de la manière la plus amicale, que leurs anciens alliés seront désormais partie intégrante d'un peuple qui ne leur est pas moins cher, et dans lequel ils ne cesseront pas d'être en relation intimes avec leurs anciens amis.

Art. XII. La ratification du présent traité sera échangée dans le mois, à compter du jour de la signature.

Fait à Mulhausen, le 9 pluviôse, an 6, et ratifié par le directoire exécutif le 22. du même mois; par le conseil des cinq cents le 4 ventôse et par le conseil des anciens le 22. ventôse an 6.

united it to the Swiss body; it deposits and pours into the bosom of the French Republic its rights to private sovereignty, and charges the French government to notify the Swiss cantons, in the most friendly manner, that their old allies will be in future an integral part of a people who are not less dear to them, and in which they will not cease to be in intimate relation with their former friends.

Art. XII. The ratification of these presents shall be exchanged within the month, counting from the day of signature.

Done at Mulhausen, the 9th Pluviôse, Year 6, and ratified by the executive Directory the 22d of the same month; by the Council of 500 the 4th Ventôse and by the Council of Ancients the 22d Ventôse, year 6.

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## *Decree of the Directory Appointing Citizen Desportes Commissioner to the Republic of Geneva, to Receive the Vote of Union. March* 25, 1798[1]

Le Directoire, informé que les citoyens de la République de Genève doivent s'assembler incessamment pour délibérer de leur réunion à la République française, arrête ce qui suit:

Art. I. Le citoyen Desportes, résident de la République française près celle de Genève, et nommé commissaire du gouvernement, à l'effet de conférer avec les magistrats, citoyens et habitants de cette dernière Répub-

The Directory, informed that the citizens of the Republic of Geneva are to assemble immediately to deliberate on their union with the French Republic, decrees as follows:

Article I. Citizen Desportes, representative of the French Republic to that of Geneva, is appointed Commissioner of the Government, for the purpose of conferring with the magistrates, citizens and inhabitants of the

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[1] *Mémoires et documents publiés par la Société d'histoire et d'archéologie de Genève.* Series 4, vol. 4, Geneva, 1915.

lique sur tout ce qui peut avoir trait à leur demande tendante à la réunion dont il s'agit, ainsi qu'aux opérations préliminaires et subséquentes y relatives.

Art. II. Il est chargé en conséquence de recevoir le vœu des citoyens et habitants de la République de Genève, de le constater, d'en stipuler le mode et les conditions par tel traité ou acte qu'il appartiendra, et dont il adressera sur le champ un double au Directoire exécutif.

latter Republic regarding all that may pertain to their request concerning the union in question, as well as the preliminary and subsequent operations relative to it.

Art. II. He is accordingly instructed to receive the vote of the citizens and inhabitants of the Republic of Geneva, to establish it, to stipulate the manner and conditions by such treaty or act as may be proper, of which a copy shall at once be forwarded to the Executive Directory.

## *Treaty of Union of the Republic of Geneva with the French Republic. April 26, 1798* [1]

Art. I. La république française accepte le vœu des citoyens de la république de Genève, pour leur réunion au peuple français; en conséquence les Genevois, tant ceux qui habitent la ville et le territoire de Genève, que ceux qui sont en France ou ailleurs, sont déclarés *français-nés.*

Les Genevois absens ne sont pas considérés comme émigrés; ils pourront en tous temps revenir en France, et s'y établir. Ils jouiront de tous les droits attachés à la qualité de citoyen français, conformément à la constitution.

Le gouvernement français considérant que les nommés Jacques Mallet du-Pan l'ainé, François d'Yvernois et Jacques-Antoine-Duroveray, ont écrit et manœuvré ouvertement contre la

Article I. The French Republic accedes to the wish of the citizens of the Republic of Geneva, for their union with the French people; consequently the Genevois, both those inhabiting the city and territory of Geneva and those who are in France or elsewhere, are declared to be "*French-born.*"

The absent Genevois are not considered as emigrants; they may at any time return to France and establish themselves there. They shall enjoy all the rights belonging to the French citizenship, according to the Constitution.

The French government, considering that Jacques Mallet du-Pan, the elder, François d'Yvernois and Jacques - Antoine - Duroveray have openly written and labored against the

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[1] Martens, *Recueil des Traités,* 2d edition, vol. 7, p. 659.

république français, déclare qu'ils ne pourront en aucun temps être admis à l'honneur de devenir citoyens français.

Art. II. Les Genevois qui voudront transporter leur domicile en Suisse ou ailleurs, auront pendant un an, à dater de la ratification des présentes, la faculté de sortir avec leurs effets mobiliers, dûment constatés. Ils auront trois ans pour opérer la vente et la liquidation de leurs biens et créances, et pour en exporter le prix.[1]

. . . . .

Art. XIII. La république de Genève renonce aux alliances qui l'unissaient à des états étrangers; elle dépose et verse dans le sein de la *grande nation,* tous ses droits à une souveraineté particulière.

Art. XIV. La ratification[2] du présent traité sera échangée dans le mois, à compter du jour de la signature.

Fait double à Genève, le 7 floréal, an 6 de la république française, une et indivisible.

*Signé:* Moïse-Moricand, *syndic;* Samuel Musard, *syndic;* L. Guérin, *syndic de la garde;* Paul Louis Rival, *syndic;* Esau Gasc, *secrétaire;* François Romilly, *secrétaire.* Le commissaire du gouvernement français; signé Felix Desportes.

French government, declare that they may never at any time be admitted to the honor of French citizenship.

Art. II. The Genevois who may wish to change their domicile to Switzerland or elsewhere, shall have, for one year dating from the present ratification, the right to depart with their personal property duly authenticated. They shall have three years in which to effect the sale and liquidation of their real property and debts, and to remove the amounts received.

. . . . .

Art. XIII. The Republic of Geneva renounces the alliances which unite it to foreign states; it deposits and delivers into the bosom of the *great nation* all its rights of private sovereignty.

Art. XIV. The ratification of the present treaty shall be exchanged within the month, counting from the date of signature.

Done in duplicate at Geneva, the 7 floréal, year 6 of the French Republic, one and indivisible.

*Signed:* Moïse-Moricand, *syndic;* Samuel Musard, *syndic;* L. Guérin, *chief of the guard;* Paul Louis Rival, *syndic;* Esau Gasc, *secretary;* François Romilly, *secretary.* The Commissioner of the French Gouvernment; signed Felix Desportes.

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[1] The further provisions are similar to those of the treaty with Mulhausen regarding communal property and advantages to be enjoyed by the city.

[2] Ce traité a été signé par le directoire exécutif, le 9 floréal, et ratifié par le conseil des cinq cents le 9 et par le conseil des anciens, le 28 du même mois.

(Translation): This treaty was signed by the Executive Directory on the 9th floréal, and ratified by the Council of the Five Hundred on the 9th, and by the Council of Ancients on the 28th of the same month.

# The Period of 1848-1870

## ITALIAN PLEBISCITES OF 1848

### LOMBARDY

### *Proclamation of the Municipality of the City of Milan on Assuming Power. March* 20, 1848 [1]

Le terribili circonstanze di fatto per le quali la nostra città è abbandonata dalle diverse autorità fa sì che la Congregazione municipale debba assumere in via interinale la direzione d'ogni potere allo scopo della pubblica sicurezza. Egli è perciò che si fa un dovere di far noto ai cittadini che sino a nuovo avviso essa concentrerà momentaneamente le diverse attribuzioni onde condurre le cose al fine desiderato dell' ordine e della tranquillità. Ai membri ordinari della Congregazione vengono aggiunti in via provvisoria i signori: Vitaliano Borromeo — Francesco Borgia — Alessandro Porro — Teodoro Lecchi — Giuseppe Durini — Avv. Anselmo Guerrieri — Avv. Enrico Guicciardi — Gaetano Strigelli.

*Milano,* 20 *marzo* 1848, *ore una pomeridiana.*

CASATI, *Podestà* — BERETTA, *assessore.*

On account of the terrible events through which our city has been abandoned by the diverse authorities, it devolves upon the Municipality to assume the direction of all functions in internal matters for the sake of public security. For this reason it is necessary to notify the citizens that until further notice the several functions are concentrated for the present in its hands in order to bring about the desired order and tranquillity. To the regular members of the congregation are added provisionally Messrs.: Vitaliano Borromeo, Francesco Borgia, Alessandro Porro, Teodoro Lecchi, Giuseppe Durina, Anselmo Guerrieri, barrister, Enrico Guicciardi, barrister, Gaetano Strigelli.

*Milan, March* 20, 1848, 1 P.M.

CASATI, *Mayor;* BERETTA, *Secretary.*

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[1] *Le Assemblee del Risorgimento,* vol. 1, Piemonte — Lombardia — Bologna — Modena — Parma, p. 119.

## *The Provisional Government Postpones all Discussion as to the Political Future of Lombardy. March* 22, 1848[1]

### GOVERNO PROVVISSORIO

Finchè dura la lotta non è opportuno di mettere in campo opinioni sui futuri destini politici di questa nostra carissima Patria.

Noi siamo chiamati per ora a conquistarne l'independenza, e i buoni cittadini di null'altro debbono adesso occuparsi che di combattere.

A causa vinta i nostri destini saranno discussi e fissati dalla Nazione.

*22 marzo* 1848.

CASATI, *Presidente.*

. . . . .

*Cittadini!*

Attendete che ogni terra italiana sia libera; attendete che tutti quelli che la coltivano, che la fecondano col sudor della fronte, che la difendono adesso col braccio, possano alzare liberamente la voce, . . .

*Milano, il 29 marzo* 1848.

CASATI, *Presidente.*

### THE PROVISIONAL GOVERNMENT

While the struggle is still going on it is not expedient to enter into discussion as to the future political destiny of our beloved country.

To-day we are called to conquer our independence and good citizens should occupy themselves with nothing but fighting.

Our cause victorious, our destinies shall be discussed and settled by the nation.

*March* 22, 1848.

CASATI, *President*

. . . . .

*Citizens!*

Let us await the time when all Italian territory shall be free; the time when all who cultivate the soil, who water it with the sweat of their brows, who are defending it now with their arms, can raise their voices freely, . . .

*Milan, March* 29, 1848.

CASATI — *President.*

## *Proclamation of King Carlo Alberto Promising a Free Vote. March* 31, 1848[2]

### ITALIANI DELLA LOMBARDIA, DELLA VENEZIA, DI PIACENZA E REGGIO!

Chiamato da quei vostri concittadini, nelle cui mani una ben meritata fiducia ha riposto la temporaria di-

### ITALIANS OF LOMBARDY, VENETIA, PIACENZA AND REGGIO!

Called by those of your fellow citizens, in whose hands a well merited trust has placed the temporary direc-

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[1] *Le Assemblee,* vol. 1, p. 120.

[2] *Ibid.,* vol. 1, p. 122.

rezione della cosa pubblica, e sopratutto spinto visibilmente dalla mano di Dio, il quale, condonando alle tante sciagure sofferte da questa nostra Italia le colpe antiche di lei, ha voluto ora suscitarla a nuova gloriosissima vita, io vengo tra voi alla testa del mio esercito, secondando così i più intimi impulsi del mio cuore; io vengo tra voi non curando di prestabilire alcun patto: vengo solo per compiere la grande opera dal vostro stupendo valore così felicemente incominciata.

. . . . .

Italiani! la vostra vittoria è certa: le mie armi abbreviando la lotta ricondurranno tra voi quella sicurezza che vi permetterà di attendere con animo sereno e tranquillo a riordinare il vostro interno reggimento: il voto della Nazione potrà esprimersi veracemente e liberamente: in quest'ora solenne vi muovano sopratutto la carità della patria e l'abborrimento delle antiche divisioni, delle antiche discordie, le quali apersero le porte d'Italia allo straniero: invocate dall'alto le celesti ispirazioni; e che l'angelico spirito di Pio IX scorra sopra di voi: Italia sarà!

*Dal Nostro Quartier Generale*
*in Lodi, il* 31 *marzo* 1848.

Carlo Alberto.

*Il ministro della guerra* Franzini.

tion of public affairs, and, above all, visibly impelled by the hand of God, who, pardoning her ancient sins because of the misfortunes suffered by this Italy of ours, has desired to summon her to a new and most glorious life, I come to you at the head of my army, thus obeying the dearest wish of my heart; I come to you not desiring to make any anticipatory compact: I come solely to fulfil the great work so happily begun by your stupendous valor.

. . . . .

Italians: Your victory is certain: My arms, by shortening the struggle, shall restore security to you which will permit you to await with serene and tranquil mind the reordering of your internal system: the wish of the nation shall be expressed freely: in this solemn hour you should be actuated above all by love of country and hatred of the ancient divisions and of the ancient discords, which opened the gates of Italy to the foreigner. Invoke from on high celestial inspiration, and may the angelic spirit of Pius IX watch over you. There shall be an Italy.

*From Our Headquarters, at Lodi,*
*March* 31, 1848.

Carlo Alberto

Franzini, *Minister of War.*

### *Confidential Communication to the Government of Lombardy Expressing the Desire of Carlo Alberto for the Convocation of an Elective Assembly to Decide the Destinies of the Italian Provinces. March* 31, 1848 [1]

*Lodi,* 31 *marzo* 1848.

Pregiatissimo Signor Conte Casati,

Le trasmetto confidenzialmente copia di una nota progettata nei Consigli del Re, la quale mi venne pure confidenzialmente comunicata. Mi scriva, la prego, il di lei privato parere su questo documento per mia norma e governo; desidero però NON NE SIA AD ALTRI FATTA PAROLA.

Mi credo intanto,

Obbligatissimo,

Martini.

*Inclusa nota.* Sua Maestà m'incarica di significare a Vossignoria le cose qui appresso. Nel riconoscere il Governo provvisorio residente in Milano, e nel trattare con esso, Sua Maestà ha inteso di aver che fare con un potere che la sola forza imperiosa delle circostanze aveva investito di quell' autorità, che con tanto patriottismo ha saputo esercitare. Sua Maestà considera (ed è lieta di trovarsi in ciò pienamente concorde col sentimento già chiaramente e pubblicamente espresso dal Governo provvisorio) che al solo popolo che con tanto valore ha saputo di recente liberarsi dal giogo straniero, spetta il sacro diritto di determinare la forma del suo proprio Governo. È perciò desiderio di Sua Maestà che il Governo provvisorio provveda, nel più

*Lodi, March* 31, 1848.

To the most esteemed Count Casati,

I send you confidentially a copy of a note proposed in the Royal Council, which was also communicated to me in confidence. Write me, I pray you, your personal judgment on this document, for my rule and guidance; I desire, however, that NO MENTION OF IT BE MADE TO ANY ONE ELSE.

Believe me

Your obedient servant

Martini.

*Note inclosed.* His Majesty instructs me to inform your Excellency of the following matter. In recognizing the Provisional Government sitting at Milan, and in treating with it, His Majesty had the intention of dealing with a body which has been invested with authority solely through the imperious force of circumstances, and which has known how to exercise it with so much patriotism. His Majesty is of the opinion (and happy to find himself, in this, in complete accord with the sentiments already clearly and publicly expressed by the Provisional Government) that to the people alone, who with so much valor have known how to deliver themselves recently from the foreign yoke, belongs the sacred right of determining the form of its own government.

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[1] *Le Assemblee,* vol. 1, p. 124.

breve tempo possibile, alla convocazione di quell' *assemblea* elettiva, che dovrà sovranamente decidere dei futuri destini di queste belle provincie italiane.

È pure desiderio di Sua Maestà (ed anche in ciò confida di trovarsi pienamente d'accordo colle intenzioni del Governo provvisorio) che l'Assemblea emani da un sistema di elezioni larghissimo e liberalissimo; per modo che le decisioni di essa possano realmente riguardarsi siccome l'espressione la più sincera del comun voto.

Compiacciasi la Signoria Vostra di trasmettere questa nota al Governo provvisorio di Milano e di pregare quest' ultimo a volerla diramare ai Governi provvisori delle altre città della Lombardia e della Venezia e in quelli ancora di Piacenza e di Reggio; in questo modo Sua Maestà intende di esprimere il suo desiderio che la città di Milano sia *sede dell'Assemblea* che sta per convocarsi.

Vostra Signoria è anche autorizzata di far pubblicare per le stampe, d'accordo col proprio Governo, la presente nota.

*Il ministro della guerra e marina,*
FRANZINI.

For this reason it is the desire of His Majesty that the Provisional Government shall provide, as quickly as possible, for the convocation of an elective *assembly,* which shall have the sovereign function of deciding as to the future destiny of these beautiful Italian provinces.

It is also the desire of His Majesty (and in this again he is confident of finding himself in complete accord with the intentions of the Provisional Government) that the electoral system from which the Assembly shall result, shall be very broad and very liberal, in order that the decision of the same may be really regarded as a most sincere expression of the common will.

May it please Your Excellency to transmit this note to the Provisional Government at Milan and to beg the latter to be so good as to repeat it to the Provisional Government of the other cities of Lombardy and Venetia, and also to the Government of Piacenza and of Reggio; His Majesty takes this means of expressing his desire that the city of Milan should be *the seat of the Assembly* which is to be convoked.

Your Excellency, in agreement with your own Government, is also authorized to make publication of the enclosed note in the press.

*Minister of War and of the Navy,*
FRANZINI.

## *The Provisional Government Appoints a Commission to Draw up a Plan for the Convocation of a National Assembly. April* 8, 1848 [1]

### Governo Provvisorio Centrale della Lombardia

Affinchè la Nazione con un voto libero, che sia la vera espressione del poter popolare, possa decidere i futuri destini della patria, il Governo provvisorio ha fisso di convocare nel più breve termine possibile una Rappresentanza nazionale.

A quest'uopo, avendo riconosciuto che nella gloriosa rigenerazione d'un popolo non si può che fare appello a tutti i cittadini, e interrogare il loro voto; e considerando quanto sia necessario uno studio accurato ed una disamina imparziale de'mezzi più acconci a conoscere veramente il voto universale, il Governo provvisorio crede opportuno di circondarsi dei lumi di tutti i concittadini e di farsi forte del loro consiglio. E però

DETERMINA:

È istituita una Commissione speciale, che senza dimora si occupi a studiare e a proporre un progetto di legge per la convocazione delle Assemblee primarie e circa il modo di riunirle, di raccoglierne e verificarne i voti.

Questa Commissione è presieduta

### The Central Provisional Government of Lombardy

In order that the nation, by a free vote which shall be the true expression of the popular will, may be able to decide the future destiny of the country, the Provisional Government has determined to convoke as soon as possible a representative national body.

To this end, having recognized that in the glorious regeneration of a people one can not do otherwise than make an appeal to all the citizens and inquire as to their will; considering how very necessary is an accurate study and an impartial examination of the most appropriate means by which to truly ascertain the national will, the Provisional Government believes it to be expedient to avail itself of the intelligence of all the citizens and to strengthen itself by their councils. It therefore

DECREES:

The institution of a special commission, which shall occupy itself without delay with the study and the presentation of a bill providing for the convocation of the primary assemblies and for the method of convoking them and of receiving and collecting the votes.

This Commission shall be presided

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[1] *Le Assemblee,* vol. 1, p. 127.

da un commissario del Governo provvisorio che possa darle all'uopo quegli schiarimenti che avesse a desiderare.

Essa è composta de' seguenti cittadini:

Alessandro Porro, commissario governativo, *Presidente,* Gioachino Basevi, Paolo Bassi, Giovanni Berchet, . . .

Questa Commissione potrà chiamare nel suo seno altri membri, nominare il proprio segretario, determinar l'ordine delle sedute; le quali, dov'essa lo trovasse opportuno, potranno anche essere pubbliche.

Avrà cura la Commissione che il suo progetto sia pur suscettivo di poter essere adottato anche dagli altri paesi d'Italia che ora si stanno costituendo.

La migliore, la più grande vittoria che avremo ottenuta sarà quella dell'unità nazionale.

*Milano, l'8 aprile* 1848.

GABRIO CASATI, *Presidente.*

over by a commissioner of the Provisional Government who shall be able to give, at need, such explanations as may be desired.

The Commission is composed of the following citizens:

Alessandro Porro, Government Commissioner, *President;* Gioachino Basevi, Paolo Bassi, Giovanio Berchet; . . .

The Commission may add to itself other members, nominate its own secretary, and determine the rules of the sessions, which if it is found expedient, shall be public.

The Commission shall take care that its proposition shall be capable of being adopted also by the other divisions of Italy now organizing themselves.

The best, the greatest victory which we shall have achieved, will be that of national unity.

*Milan, April* 8, 1848.

GABRIO CASATI, *President.*

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## *The Provisional Government of Lombardy Proclaims a Plebiscite. May* 12, 1848 [1]

GOVERNO PROVVISORIO DELLA LOMBARDIA

*Milano, 12 maggio* 1848.

CITTADINI!

Il Governo provvisorio della Lombardia, sorto tra le barricate, tiene il

PROVISIONAL GOVERNMENT OF LOMBARDY

*Milan, May* 12, 1848.

CITIZENS!

The Provisional Government of Lombardy, born among the barrisuo mandato dal fatto sublime dell' eroica nostra rivoluzione, la quale, operata dal concorso di tutte le forze sociali, non aveva altro scopo che la cacciata dell'Austriaco e la conquista dell'independenza italiana. Perciò, fin da quando tuonava il cannone nelle nostre contrade, e il popolo rispondeva a'colpi micidiali gridando *Viva l'Italia!*, il Governo, anche nella pressura di quel momento, anche invocando il soccorso del generoso Re Sardo, anche ammirando le prove di maturità politica che dava il nostro valoroso popolo, disciplinato e mite nei furori stessi di una guerra a morte, non credette d'alzare altro grido che il grido di *Viva l'Italia!* altro vessillo che il vessillo dell'independenza nazionale. Così, lasciando intatte tutte le quistioni di forma politica e di ordinamento definitivo, volle che queste regioni, per tanti anni forzate a chiamarsi straniere all'Italia, prime tornassero alla Patria comune e, rassegnate ad ubbidirne i voleri, proclamassero la loro devozione all'Italia unita e concorde.

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[1] *Le Assemblee,* vol. 1, p. 196. The proclamation was published in the official gazette "Il 22 Marzo" on May 14. It was to be posted in each parish of each commune. *Ibid.,* p. 200.

Quindi nel Proclama del 22 marzo dichiarava che, *essendo chiamati a conquistare l'independenza di questa nostra carissima Patria, di null'altro i buoni cittadini doveano allora occuparsi che di combattere;* quindi nel Proclama del 29 marzo soggiungeva: *Poichè un solo grido* — l'independenza — *ci ha fatto vincere, un solo*

cades, holds its mandate from the sublime fact of our heroic revolution, which, brought about by the combination of all the social forces, had no other purpose than the expulsion of the Austrians and the conquest of Italian independence. Therefore, from the time when the cannon thundered in our land and the people answered the murderous blows with the cry of "Long live Italy!" the Government, although under the pressure of the moment, and praying for the success of the generous Sardinian King, and marvelling at the proof of political maturity given by our valorous people, disciplined and mild even amid the fury of a war to the death, has had no thought of raising any other cry save that of "Long live Italy!", no other standard than that of national independence. Thus, leaving untouched all the questions of political form and of definitive organization, it determined that these regions, forced for so many years to call themselves foreign to Italy, should be first to join the common country and, submitting to its wishes, should proclaim their devotion to Italy, united and harmonious.

Hence in the Proclamation of March 22, it was proclaimed that, "*being called to conquer the independence of this our beloved Country, good citizens should occupy themselves with nothing but fighting,*" hence in the Proclamation of March 29 was added, "*Since there was one cry alone —'Independence' which* *grido deve farci compiere la vittoria:* L'ITALIA UNITA E LIBERA.

Ma ora, o cittadini, il grido salvatore di *Viva l'Italia!* che, riassumeva tutta quanta la politica del Governo provvisorio, non esce più solo. Quella coraggiosa neutralità d'opinioni, quella forte aspettativa che sarebbe stata uno spettacolo unico nella storia, che avrebbe offerto un meraviglioso esempio di temperanza, di momentaneo sacrificio di ciò che l'uomo men facilmente tempera e sacrifica, non venne conservata. Quella santa concordia, quella generale fratellanza per cui ogni cittadino vedeva e cercava negli altri cittadini de'commilitoni, quella magnanima tolleranza che nulla voleva dal presente e tutto aspettava dall'avvenire, pur troppo hanno dato luogo all'impazienza sdegnosa ed irritante. Indocili di freno, smaniose di preoccupare il libero arringo, le opinioni si agitarono, si accusarono a vicenda, s'accamparono le une contro alle altre. La neutralità ch'era proclamata per impedire i dissidi e le discussioni inutili in faccia al nemico, la neutralità che era stata proclamata in ossequio alla Patria italiana perchè tutto si riferisse a' supremi di lei interessi e intorno alla sacra di lei bandiera si raccogliessero per unificarsi tutti i desideri, tutti i voti, ora viene accusata di nutrire e fomentare le discordie civili, d'autorizzare le più avverse e nemiche speranze, di tenere tutto il resto d'Italia in una paurosa incertezza.

*has brought victory, one cry alone should make the victory complete;* 'ITALY UNITED AND FREE!'"

But to-day, oh Citizens, the saving cry of "Long live Italy!" which summed up the policy of the Provisional Government, is not the only one heard. That courageous neutrality of opinion, that steadfast patience which would have been a spectacle unique in history, offering a stupendous instance of temperance, of the momentary sacrifice of that which men less easily tolerate and sacrifice, was not preserved. That sacred harmony, that general fraternity through which each citizen was seeking among the other citizens for brothers in arms, that magnanimous patience which asked nothing of the present and expected everything of the future, all these things unfortunately have given place to contemptuous and irritating impatience. Intolerant of restraint, covetous of the first place in the open forum, the various opinions became articulate, making mutual accusations and arraigning themselves each against the other. The neutrality proclaimed in order to avert dissension and useless discussion in face of the enemy, that neutrality proclaimed in obedience to the Italian Mother Country, in order that everything be referred to her supreme interests and that around her sacred flag all should be joined together for the sake of unifying all desires, is now accused of nourishing and fomenting civil discord, of giving rise to the most adverse and unfriendly hopes,

Nè gli animi si contennero nei limiti di una discussione che nel suo ardore era già pericolosa; ma in molte provincie si pubblicarono indirizzi, si raccolsero firme a migliaia, preludendo così al voto della Nazione: società s'organizzarono con nomi e intenti diversi, in cui le quistioni più sottili ed ardenti vennero agitate, discusse, pubblicate: la stampa legale, la stampa anonima si diedero ad esercitare propagande fra loro contrarie, suscitarono passioni, alimentarono speranze, insinuarono, imposero la convenienza, la necessità di riescire ad uno scioglimento.

E intanto da tutte parti ci giungono inviti, raccomandazioni pressanti di prendere una risoluzione: Popoli, Governi, Città, uomini ragguardevoli pel senno, pel patriottismo, per le guarentigie date alla causa italiana, ci esortano ad escire de quel campo in cui c'eravamo trincerati in aspettazione di quello che fossero per maturare gli avvenimenti generali d'Italia.

In questo stato di cose il Governo provvisorio di Lombardia non può più aver fiducia nel principio di quella neutralità che aveva proclamata per consacrarsi tutto alla guerra e alla difesa del paese. L'aveva proclamata per poter essere un Governo unicamente guerriero ed amministratore: ed ora invece si trova trascinato in mezzo alle distrazioni di incessanti dispute politiche, e costretto

and of keeping all the rest of Italy in a dreadful uncertainty.

Nor did they keep themselves within limits in a discussion already dangerous on account of its fervor; but in several provinces addresses were published, and thousands of signatures were collected, thus anticipating the vote of the nation; societies were organized with various titles and purposes, in which the most subtle and vital questions were agitated, discussed and made public. The official press and the anonymous press began to spread propaganda of different kinds, to arouse passions, to nourish hopes, to make insinuations, to maintain the expediency and the necessity of coming to a solution.

In the meantime, from all sides there come to us invitations and pressing recommendations to come to a decision; peoples, governments, cities, men noted for their judgment, for their patriotism, for the guarantees given by them to the Italian cause, exhort us to issue from that barricade behind which we had intrenched ourselves while awaiting the general developments in Italy.

During this state of affairs the Provisional Government of Lombardy can no longer trust in the principle of that neutrality which it had proclaimed in order to wholly consecrate itself to the war, and to the defence of the country. It had proclaimed it in order to be exclusively a military and administrative government, and now, instead, it is forced into the distraction of incessant polita difendersi ogni giorno dall'insistenza delle più divergenti opinioni.

Questo stato di cose non può durare. O il popolo riprenda il suo impegno di non voler parlare di politica, e con la sua grande voce imponga silenzio ai partiti; o si decida per quella fusione che sola è naturale, sola è possibile nelle presenti circostanze.

In favore del principio della neutralità stava la grandiosità e l'unità del concetto che tutto subordinava al voto dell'intera Nazione. Ma, perchè si persistesse a professare e praticar questo principio, bisognava che gli animi si componessero in calma, che si confermassero nel coraggio della pazienza: bisognava avere una stima grandissima degli uomini, un giudizio continuamente pacato delle cose: bisognava in ispecie che diventasse legge per tutti il rispetto fraterno delle opinioni di tutti. Nè veramente era da sperarsi che una tale condizion d'animi, una tale annegazione d'ogni simpatia individua, d'ogni preoccupazione di dottrine e di fatti, a lungo durasse. Ma, quando si accoglieva tale speranza, guerra breve e vittoria sicura erano nel pensiero di tutti; e perciò a tutti pareva facile e naturale rimettere *a causa vinta la discussione dei destini politici del paese.*

Invece, guerra grossa, sanguinosa, lunga, armamento di tutto il paese; leva ed organizzazione di un esercito lombardo; sussistenze per questo, pel

ical disputes and is obliged to defend itself constantly from the most divergent and insistent opinions.

This state of affairs cannot endure. Either the people should take back again its pledge of not wishing to speak of politics, and with its mighty voice impose silence on the parties; or it should decide for that fusion which is alone natural and alone possible in the present circumstances.

In favor of this principle of neutrality were the greatness and the unity of the conception which subordinated everything to the will of the entire nation. But, it was necessary that minds should become calm and confirmed in the courage of patience, in order that we should continue to profess and practice this principle; it was necessary to have a very great respect for men, a persistently temperate judgment of affairs, it was especially necessary that a fraternal respect for other's opinions should become law for all. Nor was it really to be hoped that such a condition of mind, such a renunciation of all individual sympathies, of all preconceived convictions as to doctrines and facts, should long endure. When this hope was conceived, a short war and a certain victory were in the thoughts of all; and therefore it seemed easy and natural to all to put off *" until our cause is victorious, the discussion of the political destinies of the country."*

Instead, a great, long and sanguinary war, the arming of the whole country, conscription and organization of a Lombard army, supplies for piemontese, pel toscano, pel romano, pel napolitano; finanze che hanno bisogno di rimedi e sussidi pronti, efficaci, ubbiditi senza contraddizione in tutto il territorio; complicazioni politiche imprevedute; influenze ostili della straniera diplomazia; bisogno urgente d'aver posto nel consorzio delle nazioni d'Europa; le provincie venete in gran parte rioccupate dai barbari; ecco le nuove e gravi condizioni nelle quali il paese si trova e che consigliano una decisione.

Quale sarà questa decisione? Certo quella che più favorisca la gran causa d'Italia, quella che più acceleri il fine dellá guerra dell'independenza. E però come Lombardi, in nome e per l'interesse di queste provincie, come Italiani, per l'interesse di tutta la Nazione, dobbiamo riconoscere provvido il pensiero che le nostre terre si associno al vicino e bellicoso Piemonte, salve le communi guarentigie della libertà, per formare dell'alta Italia un inespugnable baluardo contro tutte le forestiere invasioni, sotto lo scettro costituzionale di quell'illustre Casa di Savoia a cui la storia assegnò il glorioso titolo di guardiana delle porte d'Italia.

Già Parma e Modena ci hanno preceduto nella manifestazione più o meno esplicita di questo voto che inizia in si nobile parte d'Italia il gran pensiero dell'italica unità: già la Sicilia, dichiarando solennemente di commettere le sue sorti al reggimento monarchico costituzionale, ci ha mos-

this and for the Piedmontese, for the Tuscan, the Roman, the Neapolitan armies; finances in need of remedy, and subsidies ready, efficacious and obeyed without question throughout all the territories. Unforeseen political complications; hostile influences of foreign diplomacy; the urgent need of a place in the Society of European Nations; Venetia in great part reoccupied by the barbarians; these are the new and grave conditions in which the country finds itself and which render a decision expedient.

What shall this decision be? Certainly that which will best favor the great cause of Italy, which will best accelerate the object of the war of independence. Therefore, as Lombards, in the name and for the interest of these provinces; as Italians, in the interest of the whole nation, we must recognize the wisdom of the thought that our land, in order to make of Upper Italy an invincible bulwark against any foreign invasion, should associate itself with the neighboring and warlike Piedmont, with mutual guarantees of liberty, under the constitutional sceptre of that illustrious House of Savoy to which history has assigned the glorious title of Guardian of the Gates of Italy.

Already Parma and Modena have preceded us in more or less explicit manifestations of this desire, which, in such noble regions of Italy is giving rise to the great thought of Italian unity; already Sicily, by solemnly declaring that it entrusts its destinies to the government of a constitutional

trato qual sia di presente la strada aperta all'unione d'Italia. Or dunque non dovrà la Lombardia, dall'altezza del posto in che fu collocata dalla sua vittoria, rispondere fieramente all'accusa che le fu mossa di voler fare da sè e per sè? Non dovranno i Lombardi attestare grato animo a quei fratelli che loro corrono incontro, che dànno loro sì splendidi argomenti di simpatia, che sono pronti a rimuoversi in loro favore dalle ambizioni più legitime, e non altro anelano che d'averli consorti nella grand'opera del ricomponimento dell'italica unità?

A voi tocca decidere, o cittadini, a voi tocca ponderare se nelle circostanze presenti sia da persistere in un partito che, una volta opportuno, ora potrebbe forse esser fomite di discordia, presso alla quale sta sempre la schiavitù; o se un altro se ne debba abbracciare, determinato dal pensiero dei grandi interessi della patria italiana. Il vostro Governo non può rimanere spettatore indifferente del pericolo di una discordia civile; ed è nel proposito di rendervi uniti e forti che ha determinato di fare appello al popolo intero perchè la sua sacra e potentissima voce copra quella di tutti i partiti per confonderli in uno solo.

Premesse queste considerazioni.

monarchy, has shown us the road now open to the union of Italy. Now, then, should not Lombardy from the lofty position in which victory has placed her, answer proudly the accusation made against her of wishing to act by herself and for herself? Should not the Lombards show a grateful spirit to those brothers who hasten to meet them, who give them such splendid proof of sympathy and who are ready to surrender in their favor their most legitimate ambitions, their only desire being to have their fates linked together in the great work of the remaking of Italian unity?

It is for you to decide, oh Citizens, it is for you to consider whether under the present circumstances we should persist in a resolution which was at one time expedient, but which might today, perhaps, excite discord, which is always closely followed by slavery; or whether, determined by the thoughts of great interests and of the Italian country, we should form another resolution. Your Government can no longer remain an indifferent spectator of the danger of civil discord; it is for the purpose of rendering you strong and united that it has decided to make an appeal to the entire population, so that its sacred and omnipotent voice shall overpower that of all parties and unite them in one.

These considerations are here prefaced.

## IL GOVERNO PROVVISORIO DELLA LOMBARDIA

DECRETA:

1. Sono aperti registri della forma di cui abbasso, presso tutte le parrochie di tutti i comuni di Lombardia all'effeto di ricevere le sottoscrizioni del popolo lombardo.

2. L'uomo che avrà ventun anni compiuti avrà diritto di sottoscrivere.

3. Gl'illetterati faranno la croce alla presenza del parroco e di due delegati, nominato come agli articoli 5 e 6.

4. La sottoscrizione dovrà essere fatta da ciascheduno nella parrochia dove tiene la propria abitazione, senza distinzione di culti.

5. I parrochi o coloro che ne fanno le veci saranno assistiti nel ricevimento delle sottoscrizioni da due delegati nominati nelle città dalle rispettive Congregazioni municipali, come all'articolo 6.

6. Nei comuni di campagna i parroci saranno assistiti da due dei membri delle Deputazioni comunali o loro sostituti, oppure da due persone scelte dalle stesse Deputazioni.

Dove però esistono Consigli comunali, i delegati saranno scelti di preferenza nel corpo dei consiglieri.

7. I registri saranno aperti presso le parrochie del giorno nel quale sarà fatta la pubblicazione della presente legge nei rispettivi comuni,

## THE PROVISIONAL GOVERNMENT OF LOMBARDY

DECREES:[1]

1. The registers are open in all the parishes of the communes of Lombardy, in order to collect the signatures of the Lombard people.

2. Every man of twenty-one years of age has the right to vote.

3. Those who can not write will make a cross in the presence of the curate and two delegates named as in Articles 5 and 6.

4. The vote must be given by each person in the parish where he resides, without distinction of religious creeds.

5. The curates, or those who act for them, will be assisted in collecting the votes by two delegates named in the cities by their respective Municipal Congregations as in Article 6.

6. In the country towns and villages the curates will be assisted by two of the members of the Communal Deputations, or their substitutes, or by two persons chosen by the same deputations. Where Communal Councils exist, however, the delegates shall be chosen in preference from the body of councillors.

7. Registers shall be open in the parishes from the day in which the present law shall be published in the respective communes, and they shall

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[1] The translation of these articles is taken from *British Parliamentary Papers,* Affairs of Italy (1849), vol. 57, part II [1108], p. 465.

e saranno chiusi indefettibilmente a tutto il giorno 29 del corrente mese di maggio, anniversario della battaglia di Legnano.

Dopo di che, suggellati dai parrochi, saranno rimessi alle rispettive Deputazioni comunali od alle Congregazioni municipali.

8. Dovendosi poi provvedere che il diritto di voto possa essere regolarmente esercitato anche dai cittadini che si trovano sotto le armi nell'esercito attivo, si dispone che i registri di cui sotto vengano pure aperti presso i comandi dei corpi. I soldati italiani, tanto coscritti quanto volontari, che militano sotto la bandiera di Lombardia, voteranno anch'essi per sottoscrizione da farsi alla presenza degli ufficiali superiori del Corpo al quale appartengono.

9. La Commissione governativa destinata ad inviare soccorsi alle provincie venete avrà cura di far raccogliere i voti dei cittadini che formano parte della compagnia che ora trovasi su quel territorio.

10. Le Deputazioni comunali e le Congregazioni municipali dovranno rimettere i registri suggellati alla Congregazione provinciale, dalla quale dipendono, col mezzo più pronto e sicuro, a spese comunali, e sotto la più stretta loro responsabilità.

11. Le Congregazioni provinciali faranno lo spoglio dei registri alla presenza del vescovo o suo rappresentante e di un commissario governativo.

12. Per le speciali condizioni della

be closed definitively on the 29th of May, the anniversary of the battle of Legnano.

After which they will be sealed up by the different curates, and sent to the respective Communal Deputations or Municipal Congregations.

8. It being necessary to provide that the right of voting should be regularly exercised also by the citizens who are now with the army, measures are taken that registers may be opened at the head-quarters of their corps. The Italian soldiers, whether conscripts or volunteers, who fight under the flag of Lombardy, will all vote by subscribing in presence of the superior officers of the corps to which they belong.

9. The Government Commission destined to send succour to the Venetian Provinces will take care to collect the vote of the citizens forming part of the company that are now on that territory.

10. The Communal Deputations and Municipal Congregations will deliver the registers sealed up to the Provincial Congregations on which they depend, in the most secure and ready manner, at the expense of the commune and on their personal responsibility.

11. The Provincial Congregations will make the scrutiny of the registers in the presence of the Bishop or of his representative, and of a Government Commissary.

12. As in consequence of the pe-

città e provincia di Mantova non potendo aver luogo il disposto degli articoli 10 e 11, si stabilisce che le Deputazioni comunali debbano rimetterre i registri suggellati al Commissario straordinario del Governo residente in Bozzolo, e che lo spoglio dei registri sia fatto da lui alla presenza dell'autorità ecclesiastica e communale del luogo.

13. Lo spoglio dei registri dovrà essere suggellato dopo analogo processo verbale, e quindi rimesso al Governo insieme ai registri medesimi colla massima sollecitudine.

14. Lo spoglio dei registri delle provincie verrà reso pubblico dal Governo, e quella delle due proposizioni che avrà riunito il maggior numero di sottoscrizioni costituirà il voto della Nazione.

*Province of .... Commune of ....*
*Parrochia di .....*

PER L'UNIONE IMMEDIATA

*Noi sottoscritti, obbedendo alla suprema necessità che l'Italia intiera sia liberata dallo straniero, e all'intento principale di continuare la guerra della indipendenza colla maggiore efficacia possibile, come Lombardi in nome e per l'interesse di queste provincie, e come Italiani per l'interesse di tutta la Nazione, votiamo fin d'ora l'immediata fusione delle provincie Lombarde cogli Stati Sardi, semprechè, sulle basi del suffragio universale, sia convocata negli anzidetti paesi e in tutti gli altri aderenti a tale fusione una comune Assemblea costi-*

culiar condition of the city and province of Mantua, Articles 10 and 11 can not be observed, it is determined that the Communal Deputations should deliver the sealed registers to the extraordinary Commissary of the Government residing in Bozzolo, and that the scrutiny of the registers be made by him in presence of the Ecclesiastical and Communal authority.

13. The scrutiny of the registers must be sealed up after a *procès-verbal,* and delivered to the Government, together with the same register, without delay.

14. The scrutiny of the provincial registers must be made public by the Government, and whichever of the two propositions shall contain the greatest number of votes will be the vote of the nation.

*Province of .... Commune of ....*
*Parish of ....*

FOR IMMEDIATE UNION

*We, the undersigned, convinced of the necessity of liberating Italy from the foreign yoke, and to the intent of continuing the war of independence with the greatest possible efficacy, as Lombards, in the name and for the interest of these provinces, and as Italians, for the interest of the whole nation, we now vote the immediate union of the Lombard Provinces with the Sardinian States, on the condition that in the above-mentioned States, and in all those which shall hereafter adhere to this union, a Constituent Assembly, formed on the basis of uni-*

*tuente, la quale discuta e stabilisca le basi e le forme d'una nuova Monarchia costituzionale colla dinastia di Savoia.*

| Num. progressivo. | Nomi e Cognomi | Età | Genitori |
|---|---|---|---|

*Le firme soprascritte furono fatté alla presenza di noi.*

*Parroco* *Delegati*

*Suggello della Parrochia e della Deputazione*

*Provincia di ..... Comune di.....*
*Parrochia di .....*

PER LA DILAZIONE DEL VOTO

*Noi sottoscritti non riconoscendo l'urgenza di prendere subito una determinazione, intendiamo che sia rimessa a causa vinta la discussione dei nostri destini politici.*

| Num. progressivo | Nomi e Cognomi | Età | Genitori |
|---|---|---|---|

*Le firme ecc. (come sopra)*

*Parroco* *Delegati*

*Suggello della Parrochia e della Deputazione*

*Milano,* 12 *maggio* 1848.

Casati, *Presidente.*

Borromeo — Durini — Litta — Strigelli — Giulini — Beretta — Guerrieri — Turroni — Moroni — Rezzonico — Carbonera — Grasselli — Dossi — Correnti, *segretario generale.*

*versal suffrage, will be called together to discuss and to establish the bases and the forms of a new Constitutional Monarchy under the House of Savoy.*

| No. of ballot | Names and Surnames | Age | Names of Parents |
|---|---|---|---|

*The above signatures were made in our presence.*

*Priest* *Delegates*

*Seal of the Parish Church and of the Deputation.*

*Province of .... Commune of ....*
*Parish of ....*

FOR DELAY OF DECISION

*We, the Undersigned, not seeing the necessity of coming to an immediate determination, vote for delaying the discussion of our political rights until the successful termination of the present war.*

| No. of ballot | Names and Surnames | Age | Names of Parents |
|---|---|---|---|

*The above signatures, &c. (See above).*

*Priest* *Delegates*

*Seal of the Parish Church and of the Deputation.*

*Milan, May* 12, 1848.

Casati, *President.*

Borromeo, Durini, Litta, Strigelli, Giulini, Beretta, Guerrieri, Turroni, Moroni, Rezzonico, Carbonera, Grasselli, Dossi, Correnti, *General Secretary.*

## *Statement by the Provisional Government of the Liberties which the Lombard People Now Possess. May* 28, 1848 [1]

### Governo Provvisorio Della Lombardia

. . .

Dichiara:

Il popolo lombardo gode adesso delle seguenti franchigie:

Libertà della stampa: Diritto d'associazione: Guardia nazionale.

Queste franchigie saranno conservate al popolo lombardo nella forma ed estensione attuale di diritto e di fatto finchè l'Assemblea Costituente non venga a regolare le sorti del popolo stesso.

La legge poi, colla quale l'Assemblea Costituente sarà convocata, avrà per base il suffragio universale.

Il Governo provvisorio di Lombardia mette queste sue dichiarazioni sotto la salvaguardia dell'onor del paese e del patriottismo della Guardia nazionale.

*Milano, 28 maggio* 1848.

Casati, *Presidente.*

### The Provisional Government of Lombardy

. . .

Declares:

That the Lombard people at present enjoy the following liberties:

Freedom of the press; Right of Association; National Guard.

These liberties shall be preserved to the Lombard people in the present legal and actual form and extent, until the Constituent Assembly shall have determined the fate of the people.

The law about to be issued, with which the Constituent Assembly shall be convoked, shall be based on universal suffrage.

The Provisional Government of Lombardy places this, its declaration, under the protection of the honor of the country and the patriotism of the National Guard.

*Milan, May* 28, 1848.

Casati, *President.*

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## *Proclamation Announcing the Result of the Plebiscite. June* 8, 1848 [2]

### GOVERNO PROVVISORIO DELLA LOMBARDIA

Lombardi!

La Nazione ha pronunciato sulle proprie sorti del pieno e libero esercizio della sua sovranità.

### THE PROVISIONAL GOVERNMENT OF LOMBARDY

Lombards!

The nation, in the full and free exercise of its sovereignty, has decided on its political condition.

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[1] *Le Assemblee,* vol. 1, p. 204.

[2] *Ibid.,* p. 204. Translation from *British Parliamentary Papers,* Affairs of Italy (1849), vol. 57, part II [1108], p. 577.

Oggi stesso, in solenne adunanza, nel cospetto dell'arcivescovo di questa metropoli, dei capi delle primarie magistrature, della Guardia nazionale e dell'esercito, il Governo provvisorio ha pubblicato lo spoglio dei registri contenenti le sottoscrizioni degli abitanti di tutte le parrochie della Lombardia sgombra dal nemico, dei cittadini militanti nelle truppe regolari e ne' Corpi dei volontari sul territorio lombardo e sul veneto, per la votazione proposta dalle legge 12 maggio 1848.

Da tale spoglio, che fu raccolto in atto notarile dai cittadini Tommaso Grossi e Giuseppe Alberti, notai di questa città, e che sarà conservato nell'archivio nazionale di San Fedele, si ha questo resultato:

N. 561,002 *sottoscrizioni per la fusione immediata;*

N. 681 *sottoscrizioni per la dilazione del voto.*

Il popolo lombardo ha dunque accolta alla quasi unanimità la seguente proposizione:

" Noi sottoscritti, obbedendo alla suprema necessità che l'Italia intiera sia liberata dallo straniero, e all'intento principale di continuare la guerra dell'indipendenza colla maggior efficacia possibile, come Lombardi in nome e per l'interesse di queste provincie, e come Italiani per l'interesse di tutta la Nazione, votiamo fin d'ora l'immediata fusione delle provincie lombarde con gli Stati Sardi, semprechè sulla base del suffragio uni-

To-day, at a solemn meeting, in the presence of the archbishop of this metropolis, of the chiefs of the highest rank in the magistracy, of the national guard, and of the army, the Provisional Government has published the result of the registers containing the signatures of the inhabitants in all the parishes of all those parts of Lombardy freed from the enemy, besides those of the citizens belonging to the regular troops and corps of volunteers in the Lombard and Venetian territory, agreeably to the system of voting promulgated in the law of 12th May, 1848.

This result has been embodied in a notarial act by the citizens Tomasso Grossi and Giuseppe Alberti, notaries in Milan; an act which will be preserved in the national archives of S. Fedele. The votes are as follows: —

Votes.— 561,002 *signatures for immediate incorporation.*

Votes.— 681 *signatures for delay of the vote.*

The people of Lombardy have therefore sanctioned almost unanimously the following proposition: —

" We, the undersigned, yielding to the paramount necessity, that the whole of Italy should be freed from the foreign yoke, and that the war of independence should be continued with every possible effort, as Lombards, in the name and for the interest of those provinces, and as Italians for the interest of the whole nation, do vote from this moment for the immediate incorporation of the Lombard Provinces with the Sardinian

versale sia convocata negli anzidetti paesi e in tutti gli altri aderenti a tale fusione una comune Assemblea Costituente, la quale discuta e stabilisca le basi e le forme di una nuova Monarchia costituzionale colla dinastia di Savoia."

Lombardi! Voi avete consumato un atto di profonda prudenza civile; voi avete gettate le fondamenta di quell'edificio che tanti secoli si travagliarono indarno ad erigere e che l'età nostra vedrà sorgere sovra solide basi, a gloria e sicurezza perenne di tutta la Nazione. Quel senno, quel patriottismo che vi furono guida e sostegno ad avviare sì grand'opera, non vi verranno meno a darle intiero compimento.

Or mentre il Governo provvisorio, com'è prescritto dall'articolo 14 della legge 12 maggio, si affretta a render pubblico il voto della Nazione, annuncia che ne dà parte al Governo di S. M. Sarda, perchè, consentito dal Re e dalle Camere, possa tosto essere efficace.

Nel tempo stesso, ricordevole de'propri impegni, dichiara che sta occupandosi attivamente di quei concerti col Governo di S M. Sarda che valgano a fissare le norme secondo le quali le provincie lombarde devono essere governate fino a che la Costituente non abbia provveduto in via

States, on the understanding that a common Constituent Assembly shall be convoked of the above-mentioned States, and of all the others as shall assent to be incorporated on the basis of universal suffrage; which Assembly shall discuss and establish the basis and forms of a new Monarchical Constitution with the dynasty of Savoy."

Lombards! you have consummated an act of profound civil prudence; you have laid the foundation of that edifice which so many centuries have laboured in vain to erect, and which the present age shall see spring up on a solid basis to the eternal glory and safety of the whole nation. That judgment, that patriotism which were your guides and support in bringing forward this great work will not diminish when you are bringing it to completion.

Now, while the Provisional Government (as laid down in the 14th Article of the Law of 12th May) hastens to make public the vote of the nation, they announce that they will communicate it to the Government of His Sardinian Majesty, in order that, when agreed to by the King and the Chambers, it may be immediately carried into effect.

At the same time, the Provisional Government, mindful of their own engagements, declare that they will actively occupy themselves in framing laws for the present administration of Lombardy, in concert with the Government of Sardinia, until the Constituent Assembly shall adopt such definitiva; al qual effetto parte immediatamente per Torino un'apposita Commissione.

Dichiara ancora che nell'intervallo sino alla riunione della comune Assemblea costituente il popolo lombardo conserverà intatte le sue franchigie, *libertà della stampa, diritto dell'associazione, Guardia nazionale,* nella forma ed estensione attuale di diritto e di fatto; e che la legge colla quale l'Assemblea costituente sarà convocata avrà per base il suffragio universale.

Lombardi! Dopo avere gloriosamente conquistata l'independenza e la libertà, voi avete deliberato d'assodarle mercè la fratellevole unione con una delle grandi parti della Famiglia italiana sotto lo scettro costituzionale d'una Dinastia così benemerita di tutta Italia. E tutt'Italia dall'Alpi ai due mari farà plauso alla vostra sapiente risoluzione, e singolarmente ne esulteranno i prodi dell'esercito del magnanimo re Carlo Alberto, ai quali sorriderà la certezza di stringersi con voi, reduci dal campo, in un vincolo indissolubile e reso più saldo dalla stima scambievole e dallo scambievole affetto.

*Milano,* 8 *giugno* 1848.

CASATI, *Presidente.*

BORROMEO — DURINI — STRIGELLI

definitive measures as may be deemed necessary. For this purpose a special commission will set off immediately for Turin.

They declare also that in the interval, until the meeting of the Constituent Assembly, the people of Lombardy shall preserve intact their franchises, viz.: — *The Liberty of the Press; The Right of Association; The National Guard;* in the form and extent both "*de jure* and *de facto;*" and that the law on which the Constituent Assembly shall be convoked will be based on universal suffrage.

Lombards! after having gloriously gained independence and liberty, you have determined to consolidate them by a fraternal union with one of the great parts of the Italian family under the constitutional sceptre of a dynasty so well deserving of all Italy. And all Italy, from the Alps to the two seas, will applaud your wise resolution, and the brave army of the magnanimous King Carlo Alberto will exult in the certainty of being joined to you in an indissoluble bond, strengthened by mutual esteem and mutual affection.

*Milan, June* 8, 1848.

CASATI, *President.*

BORROMEO, DURINI, STRIGELLI.

## *Formal Presentation of the Vote of Union to King Carlo Alberto. June* 11, 1848 [1]

SIRE!

Il popolo lombardo ha pronunciato sulle proprie sorti, e noi abbiamo l'onore di presentare alla M.V. l'atto solenne che raccoglie e suggella il voto delle provincie lombarde sgombre dal nemico per l'immediata loro fusione con gli Stati Sardi, secondo la condizione posta nella formula del voto stesso.

Sire! Il popolo lombardo attende con impazienza che le Camere Sarde e il Governo di V. M. rendano efficace il voto da lui pronunciato.

Due grandi e nobili parti dell'italiana famiglia, congiunte per l'origine, per gl'interessi, per gli animi, e fin qui deplorabilmente divise dalla legge dei casi, stanno per avverare il voto di tanti secoli, sotto gli auspici della M.V.; stanno per effettuare un'unione che è compiuta nei cuori. La M. V. è degna di comprendere, di sentire tutta la solennità di questo momento che inizia un'era nuova nella storia dell'Italia libera ed unita.

Sire! Il popolo lombardo, che nella M. V. saluta riconoscente il Capitano del valoroso esercito accorso a compier l'opera dell'italiano riscatto, è lieto di raccogliersi coi suoi fratelli

SIRE!

The Lombard people have pronounced upon their own fate and we have the honor of presenting to your Majesty the solemn act which collects and seals the vote of the Lombard provinces freed from the presence of the enemy, for immediate fusion with the Sardinian States, according to the conditions stated in the formula of the vote itself.

Sire! The Lombard people wait with impatience for the Sardinian Chambers and the Government of Your Majesty to put into effect the vote pronounced by it.

Two great and noble parts of the Italian family, one in origin, in interests, in spirit, until now most unhappily divided by the law of fate, are about to realize the wish of so many centuries, under the auspices of your Majesty; they are about to achieve the union that is already accomplished in all hearts. Your Majesty will be able to comprehend and to feel all the solemnity of this moment which opens a new era in the history of Italy, free and united.

Sire! The Lombard people, who in the person of Your Majesty gratefully recognize the Captain of the valorous army come to fulfill the work of Italian redemption, are degli Stati Sardi, sotto il costituzionale vostro scettro.

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[1] *Le Assemblee,* vol. 1, p. 206. This Address was presented to the King by a deputation headed by Casati.

Ma questo popolo, quanto ama l'ordine, senza di cui civile reggimento non puo essere, altrettanto ama quella libertà che ha conquistato col proprio sangue, e senza di cui, a questi giorni, un popolo non può dirsi civile.

Sire! L'altezza del vostro animo ci sta in fede che voi apprezzerete questo nobile sentimento del popolo lombardo e che il Governo di V. M. ne sarà franco e geloso custode.

Accogliete, o Sire, i voti riverenti del popolo lombardo, e consentite che noi, in occasione così solenne, vi soggiungiamo esultanti la significazione della commune fiducia.

happy to join their brothers of the Sardinian States, under your constitutional sceptre.

But this people, much as it loves order, without which civil Government cannot exist, loves as much the liberty which it has conquered with its own blood, and without which, at the present day, no people can call themselves civilized.

Sire! the loftiness of your soul is pledge that you will appreciate this noble sentiment of the Lombard people of which the Government of your Majesty will be a frank and jealous guardian.

Accept, oh Sire, the reverent votes of the Lombard people and deign to allow us on this solemn occasion to add the joyful expression of a mutual trust.

## *Reply of the King* [1]

*Valeggio,* 11 *giugno* 1848.

Quanto mi viene espresso è carissimo a me, che non ebbi altro pensiero che concorrere con ogni sforzo a stabilire l'italiana indipendenza. Quando entrai in Lombardia fu quello il solo mio scopo, non avendo mire d'interesse di famiglia, ed ora, mediante questo atto lo veggo consolidato. La felicità, l'indipendenza e la libertà della famiglia italiana saranno sempre doveri per me. Io mi affrettai di trasmettere l'atto al mio Ministero perchè lo presenti alle Camere, e non

*Valeggio, June* 11, 1848.

Your words are most welcome, as I have no other thought than to hasten with all my power to secure Italian independence. When I entered Lombardy this was my sole purpose, having no thought of family interest, and to-day, by this act, I see that it is fulfilled. The happiness, the independence, and the liberty of the Italian family will always be my care. I hasten to transmit the act to my Ministry, for presentation to the Chambers, and I have no doubt that

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[1] *Le Assemblee,* vol. 1, p. 206.

dubito che i popoli piemontesi, liguri e savojardi abbraccieranno con trasporto i loro fratelli, e così sarà data efficacia alla bramata fusione, e le franchigie assicurate, gli sforzi uniti assicureranno la finale liberazione del suolo italiano dallo straniero.

the Piedmontese, Ligurian and Savoyard peoples will welcome their brothers with joy, and thus effect will be given to the desired fusion, and thus those liberties secured, and those forces united which shall procure the final liberation of Italian soil from the foreigner.

### *Address of the Women of Lombardy to the Women of the Sardinian States. July* 3, 1848 [1]

Il nostro Governo provvisorio ha invitati i cittadini lombardi ad iniziare l'assestamento delle future sorti del paese col pronunziarsi o per l'unione immediata di queste provincie con gli Stati Sardi o per la dilazione del voto. Noi donne usate a seguire pur nella politica le ragioni del cuore, non ci possiamo far capaci che le circostanze consentano indugi al decidersi; e dal cuore siamo condotte a riconoscere nel voto per l'unione immediata una guarentigia per la libertà di questa nostra carissima patria e per la sua completa indipendenza.

E però ci è nato il pensiero d'esprimere a voi, o sorelle degli Stati Sardi, questo sentimento nostro, e darvi un altro segno di quell'affetto che già vi abbiamo pubblicamente attestato.

Con quest'animo solo v'inviamo da noi sottoscritta la solenne formola di votazione proposta dal nostro Governo, mentre v'invitiamo a mandare

Our Provisional Government has called on the citizens of Lombardy to make a beginning of the settlement of the future fate of the country by pronouncing either for the immediate union of these provinces with the Sardinian States or for the delay of the vote. We women, accustomed, in politics, to follow the dictates of the heart, can not understand how circumstances can allow of a delay of the decision; and we are led by our hearts to recognize in the vote for immediate union a guarantee of the liberty of our beloved country and of its complete independence.

Hence is born the thought of expressing to you, Sisters of the Sardinian States, these our sentiments, and of giving another proof of that affection to which we have already attested.

With this sole intention we send to you, signed by us, the solemn formula of the vote proposed by our Government and invite you to join with us in

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[1] *Le Assemblee,* vol. 1, p. 207.

con noi dal cuore questo grido di salute per la patria commune:

Viva L'Italia Unita E Forte!

Viva Il Re Carlo Alberto, Auspice dell'Italica Unità!

*Milano* 3 *luglio* 1848.

uttering from the heart this cry of salutation to our common country:

"Long live Italy, United and Free!

"Long live Carlo Alberto, Defender of United Italy!"

*Milan, July* 3, 1848.

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### *Vote of the Subalpine Parliament Accepting the Vote of Lombardy and the Provinces of Padua, Vicenza, Treviso and Rovigo, and Uniting these Provinces to Sardinia. Law of July* 27, 1848[1]

Articolo Unico. L'immediata unione della Lombardia, e delle provincie di Padova, Vicenza, Treviso e Rovigo, quale fu votata da quelle popolazioni, è accettata.

La Lombardia e le dette provincie formano cogli Stati Sardi e cogli altri già uniti un solo Regno.

Col mezzo del suffragio universale sarà convocata una comune Assemblea costituente la quale discuta e stabilisca le basi e le forme di una nuova Monarchia costituzionale colla dinastia di Savoia, secondo l'ordine di successione stabilito dalla legge Salica, in conformità del voto emesso dai Veneti e dal popolo lombardo sulla legge 12 maggio p.p. del Governo provvisorio di Lombardia.

La formola del voto sovra espresso contiene l'unico mandato della Costituente e determina i limiti del suo potere.

Article One. The immediate union of Lombardy and of the Provinces of Padua, Vicenza, Treviso, and Rovigo, voted by their populations, is accepted.

Lombardy and the above-mentioned provinces shall form, together with the Sardinian States and those already united, one sole kingdom.

A Constituent Assembly shall be convoked by universal suffrage, to discuss and settle the bases and forms of a new constitutional monarchy under the House of Savoy, according to the order of succession established by the Salic law in conformity with the vote of the Lombardo-Venetian people already pronounced upon the law of the 12th May proposed by the Provisional Government of Lombardy.

The wording of the above-mentioned vote contains the sole object of the Constituent Assembly, and determines the bounds of its powers.

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[1] *Le Assemblee*, vol. 1, p. 226. Translation from *British Parliamentary Papers*, Affairs of Italy, part III [1125], p. 14. This vote was passed by the Sardinian Chamber on June 28 and by the Senate on July 10.

## VENETIA

### *The Provisional Government of the Republic of Venetia Announces that there will be a Single Constituent Assembly for the Liberated Provinces. March* 24, 1848[1]

#### IL GOVERNO PROVVISORIO DELLA REPUBBLICA VENETA

La prima nostra parola è parola di gratitudine al popolo veneziano, il quale, a un tratto sergendo, s'e dimostrato degno del suo nome, che ha saputo affrontare il pericolo, ha saputo ascoltare con intelligente docilità il desiderio di quelli che l'amano. Bene egli ha dimostrato che i germi dell'antica sua civiltà non aspettavano se non la stagione per isvolgersi a nuova vita.

Non sarà meraviglia se questo popolo grida con giubilo il nome di Repubblica, nel qual nome si conciliano qui le gloriose memorie dell passato con le mature condizioni presenti, e con la maggiore agevolezza de' perfezionamanti avvenire. Il nome di Repubblica Veneta non può portare ormai seco alcuna idea ambiziosa o municipale. Le provincie, le quali si sono dimostrate tanto coraggiosamente unanimi alla comune dignità; le provincie, che a questa forma di Governo aderiscono, faranno con noi una sola famiglia senza veruna disparità di vantaggi e diritti, poichè uguali a tutti saranno i doveri: e incominceranno dall'inviare in giusta proporzione i loro deputati ciascuna a formare il comune Statuto. Aiutarsi

#### THE PROVISIONAL GOVERNMENT OF THE VENETIAN REPUBLIC

Our first word is one of gratitude to the Venetian people, which, rising suddenly, has shown itself worthy of its name, which has known how to face danger and how to heed with intelligent docility the wishes of those who love it. Well has it shown that the seed of its ancient civilization awaited only the fitting time to develop a new life.

It is not to be marveled at if this people joyously cries aloud the name of Republic, in which name are harmonized here the glorious memories of the past, the ripe conditions of the present, and the greatest facility for the perfecting of the future. The name of the Republic of Venice can not now carry with it any ambitious or municipal idea. The provinces, which have so courageously shown themselves unanimous for the common dignity; the provinces, which adhere to this form of Government, will form with us one single family without any inequality of rights and privileges, since the duties shall be equal for all: and they will begin by each sending their deputies, in just proportion, to draw up the common

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[1] *Le Assemblee,* vol. 2 (Venezia), p. 6. The Provisional Government, with Manin as President, had been appointed on March 22 by the General in Command of the National Guard and the Chief of Staff. Cf. *ibid.,* p. 5, for the Proclamation.

fraternamente a vicenda, rispettare i diritti altrui, difendere i nostri, tale è fermo proponimento di tutti noi. L'esempio che noi dobbiamo porgere si è quello principalmente delle riforme sociali e morali, che importano più delle politiche assai; l'esempio della non sovvertitrice, ma giusta e religiosamente esercitata uguaglianza.

*Venezia, addì* 24 *marzo* 1848.

DANIELE MANIN, *Presidente* — NICOLO TOMMASEO — ANTONIO PAULUCCI — FRANCESCO CAMERATA — PIETRO PALEOCAPA — JACOPO CASTELLI — FRANCESCO SOLERA — LEONE PINCHERLE — TOFFOLI ANGELO, *artiere* — ZENNARI JACOPO, *Segretario.*

constitution. To help one another in a brotherly way, to respect the rights of others, to defend our own, such is the firm intention of all of us. The example which we must put forth is principally that of social and moral reforms, so much more important than those political: the example of equality not subversive but exercised justly and religiously.

*Venice,* 24th *of March,* 1848.

DANIELE MANIN, *President;* NICOLO TOMMASEO — ANTONIO PAULUCCI — FRANCESCO CAMERATA — PIETRO PALEOCAPA — JACOPO CASTELLI — FRANCESCO SOLERA — LEONE PINCHERLE — TOFFOLI ANGELO, *Executive Officer;* ZENNARI JACOPO, *Secretary.*

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## *The Departmental Committees of Padua, Vicenza, Treviso and Rovigo Protest Against a Separate Republic, and Announce that Voting for Union with Piedmont has Begun on the Venetian Mainland. May* 31, 1848

ITALIA LIBERA

VIVA PIO IX! — VIVA CARLO ALBERTO!

AL GOVERNO PROVVISORIO DELLA REPUBBLICA VENETA [1]

La indipendenza d'Italia non sarebbe che un desiderio, ove non fosse attuata quella unione, dalla quale deriva la forza e la dignità nazionale. Il bisogno di siffatta unione è da tutti

FREE ITALY

LONG LIVE PIUS IX! — LONG LIVE CARLO ALBERTO!

TO THE PROVISIONAL GOVERNMENT OF THE VENETIAN REPUBLIC

The independence of Italy would be no more than a vain idea, if that union, whence national dignity and strength are derived, were not to be realized. The necessity of such union ugualmente sentito, e gli sforzi di tutti gli Stati della penisola tendono alla soddisfazione del medesimo.

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[1] *Le Assemblee,* vol. 2, p. 46. Translation from *British Parliamentary Papers,* Affairs of Italy [1108], p. 568.

Allora che vi compiaceste di dichiarare senz'altro la indivisibilità della Venezia colla Lombardia per l'effeto che i destini politici di questa avessero ad essere i destini politici di quella, abbiamo applaudito nel vedere in tale ben augurata dichiarazione sancito il principio che l'unica Assemblea non sarebbe che il mezzo per determinare la modalità della futura esistenza politica del tutto in relazione agl'interessi dalla maggioranza riconosciuti.

Nella calma delle opinioni, tanto il Governo di Milano, quanto i Comitati delle provincie venete avrebbero lasciato alla Costituente, raccolta in causa vinta, lo stabilire la condizione politica del paese lombardo-veneto.

Ma il valido aiuto che il re Carlo Alberto portava alla nazionale indipendenza, e la gloria delle armi piemontesi, altamente eccitarono nella più gran parte del paese il desiderio di pronunciare la immediata fusione cogli Stati sardi.

Per ciò, e per altri eminenti riguardi di guerra, di finanza e di diplomazia, il Governo centrale delle provincie lombarde trovava necessario di aprire a' suoi cittadini la via di manifestare legalmente il loro suffragio anche prima della Costituente, e vi prov-

is equally felt by all, and the endeavours of all the States of the peninsula tend to the accomplishment of it.

When you thought fit to declare, in the most unqualified manner, the indivisibility of Venice from Lombardy, to the end that the political destinies of the former should be those of the latter, we rejoiced to recognise in so auspicious a declaration the sanction of the principle that the one single Assembly was to be the only means of determining the future political existence of all, in relation to the acknowledged interests of the majority.

In the calm state of public opinion, the Government of Milan, as well as the committee of the Venetian Provinces would have left it to the Constituent Assembly, called together after the triumph of the cause, to decide upon the political condition of the Lombardo-Venetian Kingdom.

But the efficacious aid which His Majesty King Carlo Alberto brought to the cause of the national independence, and the glory of the Piedmontese arms, excited throughout the greater part of the country the warmest desire to pronounce for the immediate union with the Sardinian States.

Influenced by this, and by other powerful motives of war, finance, and diplomacy, the Central Government of the provinces of Lombardy found it necessary to afford their fellow-citizens the opportunity of legally registering their suffrages even before vedeva col decreto 12 maggio 1848.

I motivi, che hanno provocato un tale partito, erano comuni, se non anzi più urgenti per le provincie venete, siccome quelle, che più specialmente sono fatte bersaglio alla nemica invasione, e sono men fornite di mezzi proprii a sostenere un'efficace difesa.

Di qui lo stesso eccitamento nei popoli della terraferma, e la stessa necessità nei Comitati d'aprire alle singole loro provincie, nel silenzio del Governo veneto, quella stessa via legale ad esprimere subito il loro voto, che era stata dal Governo della Lombardia designata.

Compiuto nel giorno 29 corrente il termine prefinito alle sottoscrizioni nei registri, a tal uopo istituiti, dovrebbero i Comitati, fatti gli spogli di que'registri, pubblicare la risultanza, la quale non può non essere conforme alla generale inclinazione, che fu stimolo potente all'aprimento dei registri medesimi.

Se non che, riesce a profonda afflizione dei Comitati il pensiero che il provocato scrutinio, inducente la immediata fusione di queste provincie col Piemonte, abbia a poterci distaccare da Venezia, alla quale ci stringono tanti vincoli di comuni interessi, di grata affezione e di gloriose memorie.

Un tale distacco, comunque lo si dovesse sperare meramente interinale,

the convocation of the Constituent Assembly, and provided for this by their decree of the 12th of May.

The motives which induced the adoption of this measure were common to, if not more imperative on, the Venetian Provinces, as the latter have been made in a more especial manner the principal point of invasion by the enemy, and are worse provided with the means of making a vigorous resistance.

Hence the same excitement among the population of the mainland, and the same necessity for the committees (in the silence of the Venetian Government), to open, in their respective provinces, the same way for their fellow-citizens to express their wishes without delay, as that established by Lombardy.

The period fixed for signing the registers opened for the purpose mentioned having expired on the 29th instant, the committees, after a scrutiny of the signatures, are to publish the result, which can not but be in conformity with the general desire, which, in fact, was the original motive for the measure.

It is, therefore, a subject of deep affliction to the committees to think that the proposed scrutiny, which would induce the immediate fusion of these provinces with Piedmont, may possibly separate them from Venice, to whom they are attached by so many bonds of common interest, grateful affection, and glorious reminiscences.

Such a separation, though it is to be hoped that it would only be tem-importerebbe la indeclinabile conseguenza che avesse ad essere tantosto istituito nelle provincie venete della terraferma un nuovo centro di azione governativa. Nè ciò sarebbe senza pregiudizio della causa comune, e sì nei rispetti materiali, e sì nei politici. E le altre potenze d'Europa avrebbero in codesto fatto un argomento per opporci un'altra volta la taccia d'inettitudine a redimere questa Italia, che non sarà grande fino a che non si regeneri nella unità.

. . . . .

Un ampio Stato, che comprende i territorii sardi, gli ex ducati di Modena e di Parma, e tutte le provincie della Lombardia e della Venezia, saprà essere in grado di preservare con mezzi suoi proprii la intiera penisola da straniera invasione, saprà elevarla a tale potenza, da influire molto onorevolmente nella bilancia politica dell'Europa.

E pure Venezia non entrerebbe a parte di quello Stato, se il Governo, che attualmente la regge, persistesse nella idea di mantenere la sua forma repubblicana, non sostenuta dal voto della Nazione, non favorita da rispetti diplomatici, repugnante alla causa ed alle intenzioni dei Principi, che ci aiutano a purgare la patria dallo straniero.

Nel desiderio vivissimo di ovviare al dolore ed allo scapito che soffriremmo a vicenda, qualora Venezia non corresse con esso noi le sorti del nuovo Stato, i Comitati di Padova, Vicenza, Treviso e Rovigo, col mezzo dei sottoscritti loro delegati, doman-

porary, would occasion the inevitable consequence of the immediate institution of a new centre of Government in the Venetian Provinces of the mainland. Nor would this take place without prejudice to the common cause, as well from a material as from a political point of view. And the other Powers of Europe would find in this proceeding, fresh cause to reproach us with incapacity to regenerate Italy, which will never be great until regenerated by union. . . .

. . . . .

A vast State comprehending the Sardinian States, the ex-Duchies of Parma and Modena, and all the Lombard and Venetian Provinces, would be in a condition, from its own resources, to preserve the Peninsula from foreign invasion, and raise it to an eminence of power so as to influence honourably the political balance of Europe.

And yet Venice would form no part of this State, if the Government which at present rules her persists in the idea of maintaining its Republican form, unsupported by the desire of the nation, unfavoured by political considerations, and repugnant to the cause and to the intentions of the Prince who is assisting us to rid the country of the stranger.

In the ardent desire to prevent the grief and prejudice we should mutually suffer if Venice were not to participate with us in the destinies of the new State, the committees of Padua, Vicenza, Treviso, and Rovigo, through the undersigned, their dele-

dano e pregano che codesto Governo prenda in matura considerazione le circostanze tutte delle provincie, e s'incammini a quella fusione, nella quale noi veggiamo la salute nostra e la gloria.

. . . . .

A fronte delle circostanze che stringono i sottoscritti delegati attenderanno fino a sabato 3 giugno p. v. che il Governo dichiari se aderisca, come vogliono sperare, al desiderio leale delle quattro provincie sorelle. Un più lungo indugio importerebbe ad essi troppo grave malleveria: e per declinarla, il giorno 4 i membri che saranno scelti dai Comitati si condurrano direttamente a Milano.

Certamente, per guarentire il lustro e la indipendenza dell' Italia, non è cittadino che non sia disposto a anche Venezia, e chi ne tiene il go- qualunque maggiore sacrifizio. E però le provincie da noi rappresentate nutrono la fermissima fiducia che verno, saprà immolare le proprie opinioni al confronto di quelle della grande pluralità dei cittadini della terra-ferma; saprà immolarle, perchè il trionfo della nazionalità italiana sia più sicuro, più prezioso, più splendido.

Il 31 maggio 1848. Dalla residenza del Comitato di Padova, presso cui i sottoscritti depositano i loro mandati.

C. Leoni, *deputato del Comitato provv. dipartimentale di Padova;* Sebastiano Tecchio, *deputato del Comitato provv. dipartimentale di Vicenza;* Luigi Perazzolo, *deputato*

gates, demand and entreat this Government to take into mature consideration the actual condition of the provinces and to proceed to that fusion in which we see our safety and glory.

. . . . .

Under the present urgent circumstances, the delegates will wait till Saturday the 3rd of June next, for the declaration, which they hope for, of the adhesion of the Government to the fusion desired by the four sister provinces. A longer delay would subject them to too serious responsibility, to avoid which, the members who shall have been elected by the committees will on the 4th proceed direct to Milan.

Doubtless, there is not a citizen who would hesitate to make every sacrifice in order to ensure the glory and independence of Italy. Wherefore, the provinces represented by us entertain the firm hope that Venice and her rulers will know how to sacrifice private opinion to that of the great majority of the citizens of the mainland; they will know how to sacrifice it in order that the triumph of Italian nationality may be more secure, more precious, and more splendid.

May 31, 1848. From the residence of the committee of Padua, where the undersigned have deposited their credentials.

C. Leoni, *Deputy Provisional Commissioner, of Padua;* Seb. Tecchio, *Deputy Provisional Commissioner, of Vicenza;* Luigi Perazzolo, *Deputy Provisional Commissioner, of Tre-*

*del Comitato dipartimentale di Treviso;* ALESSANDRO CERVESATO, *deputato del Comitato dipartimentale di Rovigo.*

*viso;* ALESSANDRO CERVESATO, *Deputy Provisional Commissioner of Rovigo.*

## *Reply of the Provisional Government. June* 2, 1848 [1]

Il Governo Provvisorio della Republica Veneta ai cittadini C. Leoni, Sebastiano Tecchio, Luigi Perazzolo, Alessandro Cervesato.

Posta per il momento da parte ogni considerazione sulle precedenze che hanno condotta la vostra lettera del 31 Maggio p. p., e sulle condizioni del paese veneto in mezzo alle quali ce l'avete indiritta, ci limitiamo a dichiararvi che abbiamo risoluto d'interrogare la volontà del popolo col mezzo di un' assemblea di rappresentanti che andiamo a convocare pel 18 corrente; e frattanto scriviamo al cittadino Calucci, nostro inviato presso il Governo provvisorio centrale della Lombardia, affinchè in quella deliberazioni, delle quali la vostra lettera ci parla, ci rappresenti come potrà essere del caso.

*Venezia, li 2 Giugno,* 1848.

*Il Presidente,* MANIN; TOMMASEO; *Il Segretario,* ZENNARI.

The Provisional Government of the Republic of Venice to the citizens C. Leoni, Sebastiano Tecchio, Luigi Perazzolo, Alessandro Cervesato.

Abstaining for the moment from all consideration of the motives which occasioned your letter of the 31st May, and of the actual condition of the Venetian Provinces during the continuance of which you have written it, we limit ourselves to a declaration to you that we have decided upon appealing to the opinion of the people by the means of an assembly of representatives which we are about to convoke for the 18th instant; and in the meantime we write to citizen Calucci, our Envoy to the Central Provisional Government of Lombardy, in order that in the deliberations to which you allude in your said letter, he may represent our interests as occasion may require.

*Venice, June* 2, 1848.

*President,* MANIN; TOMMASEO, ZENNARI, *Secretary.*

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[1] *Le Assemblee,* vol. 1, p. 48. Translation from *British Parliamentary Papers,* Affairs of Italy, 1849, v. 57 [1108], p. 577.

## *Decree of the Provisional Government of the Venetian Republic Convoking a Representative Assembly. June* 3, 1848 [1]

Alla veneta Repubblica, proclamata in questa città il 22 marzo, ed al suo Governo provvisorio costituito il 23, prestarono successivamente adesioni spontanee tutte le altre provincie del territorio veneto, eccetto Verona, ancora occupata dall' inimico. E i Governi provvisorii, che in dette provincie erano stati istituiti quando ne partiva l'Austriaco, al potere centrale del Governo della Repubblica assentendo, limitate le attribuzioni, assunsero il nome di Comitati provvisorii dipartimentali.

Il Governo provvisorio della veneta Repubblica fin da principio aveva in più forme dichiarato, che le questioni sulla costituzione politica più confacente agl'interessi italiani, non erano punto pregiudicate; e che, finita la guerra dell' indipendenza, e sgomberato il territorio dallo straniero, sarebbero state, in regolare Assemblea costituente, discusse e decise dai legittimi rappresentanti della nazione, cui sola apparteneva il potere sovrano.

Queste dichiarazioni si trovarono essere conformi a quelle, che faceva il Governo provvisorio centrale della Lombardia, liberata nello stesso giorno 22 marzo.

Da esse il nostro Governo veneto non si è mai dipartito; e le confer-

To the Venetian Republic, proclaimed in this city the 22nd of March and to its Provisional Government, constituted on the 23rd, all the other provinces of the territory of Venetia, successively lent their spontaneous support, except Verona, still occupied by the enemy. The provisional governments, which had been instituted in those provinces when the Austrians withdrew from them, assenting to the central power of the Government of the Republic, with limited attributes, assumed the name of Provisional Departmental Committees.

The Provisional Government of the Venetian Republic since the beginning had declared in several ways that the question of the most suitable political constitution for Italian interests, was not to be at once determined; and that, the war of independence once finished and the territory freed from the foreigner, these questions should be brought up in a regular constituent assembly and discussed and decided by the legitimate representatives of the nation, to whom alone sovereign power belongs.

These declarations were found to be in conformity with those made by the Provisional Central Government of Lombardy, which had become free on the same 22nd day of March.

From these our Venetian Government has never swerved; and it conmava anche con l'atto 12 maggio decorso, in cui, secondando il voto de' Comitati dipartimentali veneti e del Governo lombardo, e cedendo a' vivi sentimenti di stima e di affezione, cementati dalla fratellanza delle sventure ne'lunghi anni di comune servaggio, consentiva che le provincie del già regno lombardo-veneto fossero tutte a suo tempo rappresentate da una sola Assemblea costituente, ma sotto condizione che a questa unicamente spettasse decidere sui destini politici dello Stato.

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[1] *Le Assemblee,* vol. 2, p. 54.

Senonchè, il Governo lombardo, allegando che la guerra d'indipendenza si prolungava oltre le sue previsioni, e adducendo le impazienze manifestate dai suoi amministrati, ed altri motivi che a lui parvero possenti, decretò che, pur pendente la guerra, si votasse il partito della fusione immediata del territorio lombardo col regno di Sardegna, e la votazione si facesse, non in assemblea, ma ricevendo le sottoscrizioni del popolo in apposite liste.

L'esempio fu seguìto dai Comitati provvisorii dipartimentali di Padova, di Vicenza, di Treviso e di Rovigo, i quali, di sola loro autorità, decretarono votazioni sullo stesso partito e col metodo stesso.

Ciò facevasi mentre erano già state invase del nemico le provincie di

firmed them also by the Act of May 12 last, in which, seconding the vote of the Venetian Departmental Committees and of the Lombard Government, and yielding to the lively sentiment of esteem and affection, cemented by partnership in the misfortunes of the long years of common servitude, it agreed that the provinces of the former Lombardo-Venetian Kingdom should all, at the proper time, be represented by a single constituent assembly, but under the condition that it should be the duty of this alone to decide on the political destinies of the State.

However, the Lombard Government, alleging that the war of independence was lasting longer than it had expected and taking into consideration the impatience shown by the people that it was administering and other reasons that seemed to it important, decreed that, even while the war was going on, a vote should be taken on the immediate union of the Lombard territory with the Kingdom of Sardinia, and that the vote should be taken, not in the assembly but by receiving the signatures of the people arranged in appropriate lists.

This example was followed by the Provisional Departmental Committees of Padua, of Vicenza, of Treviso, and of Rovigo, which, solely on their own authority, decreed that votes should be taken on the same matter and by the same method.

This was done when the provinces of Udine and of Belluno had already

Udine e di Belluno, e trovavasi tuttora da esso occupata quella di Verona. Laonde, prescindendo da ogni questione di diritto e di convenienza, sta il fatto che la provincia di Venezia è minacciata di rimanere, per un tempo più o meno lungo, nell'isolamento.

Questo fatto è di tanta gravità, che il Governo provvisorio, sebbene deplori che, mentre l'animo e la mente d'ogni italiano dovrebbero essere rivolti ad un fine solo, cioè quello della indipendenza, s'abbia a trattare d'argomenti politici, e così destare partiti, generare discordie, produrre debolezza; tuttavolta credendo poter dispensarsi dall'interrogare prontamente, sulle questioni che reclamano soluzione immediata, la volontà degli abitanti di questa provincia, minacciata di abbandono.

Ma esso Governo intende che queste volontà sieno significate con cognizione di causa, previo esame dei fatti, previa esposizione ragionata delle opinioni, e quindi in Assemblea di rappresentanti. Non Assemblea costituente, che stanzii definitivamente le leggi fondamentali dello Stato: ma Assemblea, eletta col metodo sommario comandato dalla stringenza del tempo, che deliberi sulle condizioni del momento, che, mutando o confermando i membri del Governo, lo rinforzi e ritempri nel voto popolare.

Pertanto il Governo provvisorio della repubblica veneta

been invaded by the enemy and while that of Verona was still occupied by him. Therefore, putting aside any question of right or of convenience, it is a fact that the province of Venice is in danger of remaining isolated for a shorter or longer time.

This fact is so serious that the Provisional Government, although it deplores that, while the soul and mind of every Italian should be directed to a single end, namely, independance, it should have to treat of political arguments, and thus arouse partisanship, create discords and bring about weakness; nevertheless believes that it cannot dispense with inquiring quickly, on questions that call for an immediate solution, what the wishes are of the inhabitants of this province, which is threatened with isolation.

But this Government intends that these wishes should be expressed with knowledge of the reasons, previous inquiry into the facts, previous deliberate expression of opinions, and therefore in an assembly of representatives. Not a constituent assembly that shall definitely fix the fundamental laws of the State, but an assembly elected in the summary manner imposed by the exigencies of the time, which shall deliberate on the conditions of the moment and which, changing or confirming the membership of the Government, shall strengthen it and adjust it to popular opinion.

Therefore the Provisional Government of the Venetian Republic

| DECRETA: | DECREES: |
|---|---|
| 1. È convocata in Venezia un'Assemblea di deputati pegli abitanti di questa provincia, la quale: [1] | 1. An assembly of deputies for the inhabitants of this province is convened at Venice, which: |
| (*a*) Deliberi se la questione relativa alla presente condizione politica debba essere decisa subito, od a guerra finita; | (a) Shall decide whether the question relating to the present political condition shall be decided at once, or when the war is ended: |
| (*b*) Determini, nel caso che resti deliberato per la decisione istantanea, se il nostro territorio debba fare uno Stato da sè, od associarsi al Piemonte; | (b) Shall determine in case the decision is for an immediate settlement of the question, whether our territory shall form an independent state by itself, or shall associate itself with Piedmont: |
| (*c*) Sostituisca o confermi i membri del Governo provvisorio. | (c) Shall replace or confirm the members of the Provisional Government. |
| 2. Le adunanza saranno tenute in una delle sale del Palazzo Ducale, e cominceranno col giorno 18 giugno corrente. | 2. The meetings shall be held in one of the halls of the Doge's Palace, and shall begin with the 18th day of June of the current year. |
| 3. Le norme per l'elezione dei deputati sono determinate in altro decreto di oggi.[2] | 3. The rules for the election of deputies are established in another decree issued to-day. |
| *Venezia,* 3 *giugno* 1848. | *Venice, June* 3, 1848. |
| *Il presidente,* MANIN; PALEOCAPA: *Il segretario,* JACOPO ZENNARI. | *The President,* MANIN; PALEOCAPA; *The Secretary,* JACOPO ZENNARI. |

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[1] The date for the convening of the Assembly was first set for June 18. Postponed by a decree of June 13, it was finally convoked for July 3. (*Le Assemblee,* vol. 2, pp. 55 and 58.)

[2] The decree establishing the electoral qualifications is not given in *Le Assemblee.* A summary of these qualifications is given by Dawkins, British Consul General at Venice, in a dispatch to Viscount Palmerston on June 4, as follows:

"The other decree provides for the electoral qualifications, according to which all persons who have attained the age of 21 years have the right of voting, and all those who have attained the age of 25 are eligible as deputies. Electors can exercise the right of voting only in the parishes in which they reside, and the deputies are to be chosen in the different parishes in the proportion of one deputy for every 2,000 inhabitants." *British Parliamentary Papers,* Affairs of Italy [1108], p. 567.

## *Vote of the Consulta of Venice. June* 26, 1848 [1]

Dopo la discussione viene posta ai voti la proposta, che interessando sopra tutto che l'opinione pubblica sia istrutta e predisposta sul partito più utile da prendersi dall'Assemblea convocata pel giorno 3 luglio, la Consulta inviti il Governo a far conoscere al pubblico il vero stato delle cose nei diversi rapporti delle finanze, della marina, della guerra e del commercio, ad illuminare i membri dell'Assemblea per l'emissione del voto, che troveranno più opportuno pel comun bene, e predisporre il pubblico ad accogliere e rispettare questo voto con la sommissione e confidenza dovute all'espressione legale della volontà dei rappresentanti della provincia.

Questa proposta viene approvata ad unanimi voti.

After discussion, the following proposal has been put to the vote:

Since it is necessary, above all, that public opinion shall be instructed and prepared regarding the most beneficial course to be taken by the assembly convoked for the 3rd day of July, the Council shall invite the Government to make known to the public the true state of things in the diverse reports regarding finances, navy, war, and commerce, in order to supply the members of the assembly with information necessary for casting their votes for what shall be found most necessary for the common good, and to predispose the public to welcome and to respect this vote, with the submission and confidence due the legal expression of the will of the representatives of the Province.

This proposal has been approved by unanimous vote.

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## *Speech of Manin before the Representative Assembly, and Vote of the Assembly for the Union of Venice with Piedmont. July* 4, 1848 [2]

MANIN. I discorsi dei due valenti oratori che mi precedettero, dimostrano che non vi è opinione ministeriale; che noi parliamo qui, non come ministri, ma come semplici deputati; e come semplice deputato parlo anch'io parole di concordia e di amore. . . .

MANIN. The speeches of the two able orators who have preceded me demonstrate that there is not ministerial opinion here; that we talk here not as ministers, but as simple deputies and as a simple deputy I also will speak words of harmony and of brotherhood. . . .

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[1] *Le Assemblee,* vol. 2, p. 59.

[2] *Ibid.,* pp. 92–95.

Io ho oggi la stessa opinione che aveva nel 22 marzo, quando, dinanzi alla porta dell'Arsenale ed in Piazza S. Marco, proclamai la Repubblica. Io la ho: e tutti allora l'avevano. Ora tutti non l'hanno. (*Agitazione.*) Parlo parole di concordia e di amore e prego di non essere interotto. È un fatto che tutti oggi non l'hanno. È pure un fatto che il nemico sta alle nostre porte, che il nemico attende e desidera una discordia in questo paese, inespugnabile finchè siamo d'accordo, espugnabilissimo se qui entra la guerra civile.

Io, astraendo da ogni discussione sulle opinioni mie, e sulle opinioni altrui, domando oggi assistenza, domando oggi un grande sacrificio; e lo domando al partito mio, al generoso partito repubblicano. (*Applausi universali.*)

All'inimico sulle nostre porte, che aspettasse la nostra discordia, diamo oggi una solenne mentita. Dimentichiamo oggi tutti i partiti; mostriamo che oggi dimentichiamo di essere o realisti o repubblicani, ma che oggi siamo tutti Italiani.

Ai repubblicani dico: nostro è l'avvenire. Tutto quello che si è fatto e che si fa, è provvisorio. Deciderà la Dieta italiana a Roma. (*Vive e prolungate acclamazioni universali.*)

(*Tornato il Manin al suo posto, l'avv. Castelli e molti altri deputati vanno ad abbracciarlo con grande effusione di animo.*)

I hold to-day the same opinion which I held on the 22nd of March, when, before the door of the Arsenal and in the Piazza S. Marco I proclaimed the Republic. I hold it now and everyone held it then. At present everybody does not hold it. (*Agitation.*) I speak words of harmony and of brotherhood and I ask not to be interrupted. It is a fact that not all men hold it. It is, moreover, a fact that the enemy is at our door, that the enemy awaits and desires discord in this country, impregnable so long as we are in agreement, but at the mercy of the enemy should civil war enter here.

Abstaining from all discussion of the opinions of myself and others, I ask, today, assistance, I ask today a great sacrifice, and I ask it of my own party — of the generous republican party. (*Universal applause.*)

To the enemy at our doors, who are expecting discord in our ranks, we will to-day give the solemn lie. Let us forget today all party issues; let us show that to-day we forget that we are royalists or republicans but that we are now all Italians.

To the republicans I say: "the future is ours. All that which has been done, which is being done, is provisional. The Italian Diet at Rome shall decide." (*Unanimous and prolonged cheers.*)

(*Manin returned to his seat, the lawyer Castelli and many other deputies came and embraced him with great effusion and animation.*)

Castelli sale in bigoncia, e colle braccia alzate esclama: La patria è salva! Viva Manin! (*Applausi generali.*)

Presidente. Domando se alcuno dei deputati voglia ancora parlare sull'argomento.

*Risposta Universale.* Basta; è esaurito.

*Altre Voci:* Ai voti.

Presidente. La proposizione è: se la condizione politica di Venezia debba essere decisa subito, o no.

Manin, per una lieve indisposizione, domanda un po' di sollievo.

Dopo mezz'ora si fa l'appello per la votazione, la quale eseguita, risultano:

Voti affermativi 130; voti negativi 3.

Presidente. È accettata la proposizione che si debba decidere sulla condizione di Venezia.

Ora devesi far luogo al II articolo del decreto 3 giugno, cioè se Venezia debba fare uno stato da sè, o associarsi al Piemonte.

Varè legge l'articolo relativo. (*Animata discussione sulla formola.*)

Castelli. Ogni dispiacere è cessato per l'atto magnanimo di un gran cittadino. (*Acclamazioni.*)

Io credo, che senza bisogno di altre discussioni, l'Italia sia salvata a Venezia all'Italia. (*Applausi.*)

Basta dunque rassegnare all'Assemblea la formola, che io progetterei per la fusione col Piemonte. E sono le

Castelli rises in the chair, and with arms upraised exclaims:

"The country is saved! Long live Manin!" (*General applause.*)

President. I ask if anyone of the deputies wishes to speak upon this point.

*General Response:* Enough; it is settled.

*Other Voices:* Put it to vote.

President. The proposition is,—whether the political conditions of Venice should be at once decided — or no.

Manin, on account of a slight indisposition asks a short recess.

Half an hour later the vote is taken and the result is as follows:

Affirmative: 130;

Negative: 3.

President. The proposition is accepted, that we must decide on the condition of Venice.

Now Article II of the decree of June 3rd should be considered, that is to say whether Venice shall constitute an independent State or shall join Piedmont.

Varè reads the article relating to this. (*Animated discussion as to the formula.*)

Castelli. All discontent has ceased by virtue of the magnanimous act of a great citizen. (*Applause.*)

I believe, that without more discussion, Italy will be saved for Venice and Venice for Italy. (*Applause.*)

It is enough then to report to the Assembly the formula which I would suggest for the fusion with Piedmont.

parole medesime, colle quali, esprimendo la condizione del paese, credeva di dover procedere a quell'atto il Governo provvisorio lombardo, coll' esordio del decreto con cui è chiamata la sottoscrizione per la fusione:

"Obbedendo alla supreme necessità che l'Italia intera sia liberata dallo straniero ed all'intento principale di continuare la guerra dell'indipendenza con la maggiore efficacia possible, come Veneziani in nome e per l'interesse della provincia di Venezia, e come Italiani per l'interesse di tutta la nazione, votiamo l'immediata fusione della città e provincia di Venezia negli stati sardi con la Lombardia, e alle condizioni stesse della Lombardia, con la quale in ogni caso intendiamo di restare perpetuamente incorporati, seguendone i destini politici unitamente alle altre provincie venete."

. . . . .

L'Assemblea quindi votò a scrutinio segreto la formola proposta dal Castelli, che risultò ammessa da 127 voti contro 6. (*Applausi.*)

And they are the same words with which, in expressing the condition of the country, the Provisional Government of Lombardy thought that it should proceed to that act with the preamble of the decree by which assent to this fusion is called for.

"Obeying the supreme necessity of liberating the whole of Italy from the stranger, and with the object of carrying on the war of independence with the greatest possible efficacy, both as Venetians, in the name and for the interest of the Provinces of Venice, and as Italians, for the interest of all the nation, we vote for the immediate fusion of the city and province of Venice with the Sardinian States, together with and on the very same conditions as Lombardy, with which we intend in every case to remain perfectly incorporated, following its political destinies, together with the other Venetian Provinces."

. . . . .

The Assembly then voted by secret ballot on the formula proposed by Castelli, which was accepted by 127 votes as against 6. (*Applause.*)

### *Vote of the Sardinian Parliament Accepting the Vote of the City and Province of Venice and Uniting them with the Sardinian States. Law of July 27, 1848* [1]

ART. 1. L'immediata unione della città e provincia di Venezia votata dall'Assemblea dei suoi Rappresentanti è accettata.

ARTICLE 1. The immediate union of the town and province of Venice, voted by the Assembly of their Representatives, is accepted.

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[1] *Le Assemblee,* vol. 2, p. 107. Translation from *British Parliamentary Papers,* Affairs of Italy, part III [1125], p. 79. Passed by the Chamber on July 21, by the Senate July 24. Law of July 27, 1848, n. 750.

La città e la provincia di Venezia formano cogli Stati Sardi e cogli altri gia uniti un solo Regno alle condizioni contenute nelle leggi d'unione colla Lombardia.

. . . . .

The town and Province of Venice form, with the Sardinian States and those already united, one sole kingdom, on the conditions contained in the laws of the union with Lombardy.

. . . . . .

## Parma and Piacenza

### *The Council of Elders Appoints the Members of the Provisional Government. April* 11, 1848 [1]

L'Anzianato composto di cento Cittadini, radunatosi oggi in numero di ottantotto individui, qui sotto indicati, nel Palazzo del Comune, dietro invito del Podestà, al fine di eleggere un Governo provvisorio per rispondere allo spirito del paese;

Ritenuto che la libera scelta di un Governo provvisorio fatta dall'Anzianato ossia dalla Rappresentanza del Popolo, colloca questo paese nelle condizioni dei limitrofi:

Ha nominato e nomina un Governo provvisorio composto de' signori:

Conte De Castagnola Ferdinando.
Conte Cantelli Girolamo.
Professor Pellegrini Pietro.

. . . . .

Conte Sanvitale Luigi.
Bandini Giuseppe.
Monsignor Carletti Don Giovanni.
Avvocato Maestri Ferdinando.

*Parma* 11 *Aprile* 1848.

Sottoscritti: Ferdinando Bolla — E. Barbieri — O. Garbarini — . . .

The Council of Elders, composed of one hundred citizens, met to-day to the number of eighty individuals, indicated below, in the City Hall, by invitation of the Mayor, with the purpose of electing a Provisional Government in accord with the spirit of the country.

In the belief that the free choice of a Provisional Government made by the Council of Elders, or rather the Representatives of the People, places this state in the condition of the neighboring states.

Has appointed and appoints a Provisional Government composed of Messrs:

Count Ferdinando De Castagnola.
Count Girolamo Cantelli.
Professor Pietro Pellegrini.

. . . . .

Count Luigi Sanvitali.
Giuseppi Bandini.
Monsignor Don Giovanni Carletti.
Advocate Ferdinando Maestri.

*Parma,* 11 *April,* 1848.

Signed: Ferdinando Bolla, E. Barbieri, O. Garbarini, . . .

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[1] *Le Assemblee,* vol. 1, p. 597.

### *The Provisional Government of Parma Proclaims a Plebiscite on the Question of Union with Sardinia. May* 8, 1848 [1]

. . . . .

Il Governo provvisorio di Parma, come non aveva, nè ha, così non si arrogò mai il mandato di disporre nè dei voleri, nè dei diritti, nè delle persone, nè delle cose di questo paese, di questo Popolo, quanto all'aggregarsi all'una od all'altra Provincia, a questo od a quel Regno d'Italia.

Il Governo Provvisorio e nessuno non poteva ignorare che tale deliberazione non dipende che dal voto significato dalla maggioranza del Popolo.

Non ignorava non potersi ciò conseguire che in due forme: o per una Rappresentanza legale elettiva; o raccogliendo, quanto è possibile, i singoli voti dell'universale.

Fu già per questo che il Governo provvisorio di Parma, secondando l'invito del Governo provvisorio di Milano, inviò chi assistesse alla Commissione intesa a comporre un sistema di elezione, secondo il quale si ottenesse nel miglior modo il voto comune. Se il tempo concedeva di mettere ad effetto quello o somigliante metodo, noi, per quanto era nel poter nostro, l'avremmo seguito.

Ma se il corso degli avvenimenti, se gli scritti di uomini sinceramente amanti di quest'Italia, se infine le con-

. . . . .

The Provisional Government of Parma, not having, nor having had authority, has never claimed a right to dispose of the will, nor of the rights, nor of the persons, nor of the possessions of this State, or of this People, regarding their joining one or another Province, or this or that Kingdom of Italy.

The Provisional Government and all others could not be ignorant that such a decision must depend only upon the expressed will of the majority of the people.

It could not ignore that this could be carried out only in two ways, either by a representative body legally elected, or by gathering, as far as possible, the individual wishes from a general vote.

It was, then, for this reason that the Provisional Government of Parma, accepting the invitation of the Provisional Government of Milan, sent someone to assist the Commission which had been appointed to compile an elective system by which the general vote should be obtained in the best manner. If time had permitted of the putting into effect of that and similar methods, we should have followed it as far as we were able.

But, if the course of events, if the writings of men who sincerely love Italy, if in fine the conditions of our

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[1] *Le Assemblee,* vol. 1, p. 598.

dizioni particolari della Città nostra mostrarono dannoso ad essa, dannoso all'Indipendenza Italiana il temporeggiare; . . . se Parma, commossa da questi sentimenti, che da lungo tempo vanno occupando gli animi de'buoni Italiani, diede segno ne'giorni passati, oggi solennemente dimostrò e dichiarò al Governo provvisorio come la Città e lo Stato debbono e vogliono esprimere il loro voto, intorno a questa importante risoluzione, nel modo il più universale, ma insieme il più sollecito, raccogliendo, quanto più si possa, i singoli voti; il Governor provvisorio non solo accetta, ma reputa suo debito di agevolare e assicurare i modi per i quali il pubblico voto possa essere dato, raccolto, manifestato. A questo fine dispone:

1. Saranno aperte in ogni Parrochia dello Stato note nelle quali sia libero a tutti esporre il suo voto per la riunione di questo Ducato al Regno Sardo; sia anche libero esporre quelle condizioni o nuove proposte che paressero più convenienti el al nostro Stato e all'Italia.

2. Ogni Podestà inviterà il Popolo del suo comune a recarsi nelle parrocchie rispettive a ore determinate e in compagnia col Parroco assisterà essomedesimo o delegherà un Sindaco od un Anziano alla compilazione delle note;

3. Entre il giorno 17 del corrente le note dovranno, per le vie ufficiali, essere trasmesse suggellate al Governo per fare lo spoglio de'nomi e de'voti.

particular city showed the policy of delay to be damaging to her and to Italian Independence, . . . if Parma, moved by these sentiments which long have occupied the spirit of good Italians, has shown in the past, and has to-day solemnly demonstrated and declared to the Provisional Government the method which the City and the State should follow and desire to follow in expressing their will about this important resolution and has done this most comprehensively and solicitously, collecting single votes as far as possible; then the Provisional Government not only accepts, but considers it its duty to facilitate and assure the ways by which the public vote may be cast, collected, and published. To this end it orders that:

1. Lists shall be opened in every parish of the State in which all shall be free to give their vote for the union of this Duchy to the Kingdom of Sardinia; they shall also be free to express such conditions or new proposals as may seem more adapted to our State and to Italy.

2. Each Mayor shall invite the people of his community to meet in their respective parishes at a given hour, and, together with the Parish Priest, shall himself compile or shall delegate to a Syndic or to an Elder the duty of compiling the lists.

3. Before the tenth of the current month, the lists, sealed, shall be sent officially to the Government, in order that names and votes may be counted.

Il Delegato alla Sezione dell'interno curerà l'esecuzione delle presenti disposizioni.

. . . . .

*Parma, 8 maggio* 1848.

G. Cantelli — F. Maestri — F. De Castagnola — . . .

The Delegate of the Department of the Interior shall take charge of the execution of the present provisions.

. . . . .

*Parma, May* 8, 1848.

G. Cantelli, F. Maestri, F. De Castagnola, . . .

### *Formal Minute of the Result of the Plebiscite. May* 26, 1848 [1]

Il Governo provvisorio di Parma, considerando la condizione presente delle cose nostre e d'Italia; la convenienza e necessità che più a lungo non durasse una incertezza dannosa a ciascuno degli Stati fattisi indipendenti, e pericolosa a tutta l'Italia; adempiendo pur anco i desideri manifestati da moltissimi cittadini, fece con Atto dell' maggio 1848 aprire in ogni parrocchia dello Stato registri, ne' quali ciascuno esponesse liberamente il suo voto, o per la riunione di questo Stato al Regno Sardo, o per quelle altre condizioni o proposte che paressero più convenienti al nostro Stato e all'Italia.

Chiusi e trasmessi i registri entro il termine prescritto, il Governo Provvisorio ordinò, il 20 maggio, che la verificazione ed enumerazione dei voti si facesse, assistendovi due membri del Governo, il Presidente del Supremo Tribunale, il Procuratore generale presso il Tribunale medesimo e l'archivista dello Stato; e che per ministero de'Notai dott. Antonio Lombardi e dott. Enrico Adorni si com-

The Provisional Government of Parma, considering the present condition of affairs in Italy and that it is expedient and necessary that an uncertainty which is harmful to each of the independent States, and dangerous to all Italy, should no longer continue; fulfilling also the wishes manifested by many citizens, by an act of May 8, 1848, opened registries in every parish of the State, in which everybody should freely express his vote, either for the union of this State to the Kingdom of Sardinia, or for other conditions and proposals that might seem more suitable to our State and to Italy.

The registers having been closed and sent in within the given time, the Provisional Government, on the 20th of May, ordered that a verification and enumeration of votes should be made in the presence of two members of the Government, the President of the Supreme Court, the Attorney General of the same Court and the Keeper of the State Archives, and that the notaries, assisted by Dr.

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[1] *Le Assemblee*, vol. 1, p. 600.

pilasse processo della verificazione dei voti e del risultamento di essi.

Per dar opera alle quali cose gl'individui anzidetti si sono difatto radunati nel Palazzo del Governo la sera di quel medesimo giorno (20), ed hanno continuato lo squittinio nei successivi (21, 22, 23, 24); ed attentamente esaminata ciascuna nota dei voti, ne raccolsero i risultati, il quali nello Specchio qui unito si rappresentano, ed ora vengono promulgati.[1]

Dalla maggioranza grandissima de'quali voti, è determinata la riunione di questo Stato a quello di S. M. Re Carlo Alberto; la cui sapienza promette ai Popoli istituzioni veramente liberali e civili; dalla cui magnanimità Parma invoca e attende l'adempimento di alcuni desideri, quasi universali pel Popolo Parmense, espressi da moltissimi nel dare i loro

Antonio Lombardi and Dr. Enrico Adorni, should draw up an official report of the verification of the votes and the result of the same.

To make these acts effective, the above mentioned individuals met in the Town Hall on the evening of that same day (the 20th) and continued the count on the following days (21st, 22nd, 23rd, 24th), and carefully examined each list of the votes, and collected the results which are shown and are now promulgated in the accompanying table.[1]

From the great majority of the said votes the union of this State with that of H. M. Carlo Alberto is determined; whose wisdom promises free and civilized institutions to the People; from whose magnanimity Parma invokes and expects the fulfillment of certain wishes, almost universal among the People of Parma, and expressed by many in their votes

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[1] Note by the editor of the Assembly: Il risultato, completato dalla nota aggiunta in data 26 maggio, è il seguente:

| | |
|---|---|
| Numero totale dei votanti | 39,904 |
| Per la riunione agli Stati Sardi | 37,451 |
| Per Carlo II | 1,656 |
| Per gli Stati Pontifici | 530 |
| Per la Toscana | 158 |
| Diversi | 8 |
| Indeterminati | 101 |

Translation: The final result, counting in a list added under date of May 26th, is as follows:

| | |
|---|---|
| Total number of those voting | 39,904 |
| For union with the Sardinian States | 37,451 |
| For Carlo II | 1,656 |
| For the Pontifical States | 530 |
| For Tuscany | 158 |
| Scattered | 8 |
| Undetermined | 101 |

voti per la riunione al Regno Sardo; e sono:

Che Parma sia Capoluogo di Provincia, e Sede di un Tribunale Superiore;

Che i beni del Patrimonio dello Stato di Parma siano destinati a particolare beneficio dello Stato medesimo; e le rendite erogate alle pubbliche istituzioni, fra le quali principalissima l'Università degli Studi di antica fama e splendore; e così tutte le altre che già esistono, come a quelle che possono essere dimandate dal bisogno presente e dal progresso delle arti e delle scienze; come fu già disposto nel Decreto del Governo provvisorio del 14 maggio corrente;

Che, sino ad una nuova legislazione per tutto il nuovo Regno, sieno conservati i vigenti nostri Codici, e gli attuali ordini giudiziari ed amministrativi;

Che poi la Costituzione del nuovo Regno si riformasse sopra basi più larghe.

I registri contenenti le espressioni dei voti vengono immediatamente consegnati al qui presente sig. prof. Amadio Ronchini archivista, perchè ne faccia deposito nell'Archivo dello Stato in adempimento del sopracitato Decreto del 20 maggio.

Di tutte le quali cose ne viene disteso Atto in duplice originale dai sottoscritti Notai della Basilica-Cattedrale alle ore sei pomeridiane di questo giorno 25 maggio 1848.

Assisterono a quest'Atto solenne i componenti il Governo provvisorio,

for the union with Sardinia. They are:

That Parma shall be the Capital of the Province, and the Seat of the Supreme Court.

That the property of the Patrimony of the State of Parma be appropriated to the sole benefit of the said State; and the income appropriated to public institutions, principally the University of ancient fame and splendor, and also all others already existing, as well as those others which may be demanded by present need and the progress of the Arts and Sciences; as was provided in the Decree of the Provisional Government of May 14th.

That, until new legislation for the whole of the new Kingdom be made, our present codes, and the present judiciary and administrative provisions shall be preserved.

Also, that the Constitution of the new Kingdom shall be made over upon a broader basis.

That the registers containing the expressions of the wishes be given immediately to Professor Amadio Ronchini, Keeper of the Archives, in order that he may deposit them in the State Archives in fulfillment of the above mentioned Decree of May 20th. Of all of these things a detailed Act in duplicate form has been made by the undersigned Notaries of the Cathedral at six P. M. of this day, May 25th, 1848.

The members of the Provisional Government were present at this meno il signor Bandini, che non ha potuto intervenire per motivo di cagionevole salute; il Presidente del Supremo Tribunale, il Procuratore generale presso il Tribunale medesimo e l'Archivista dello Stato: alla presenza delle Rappresentanze del Popolo, delle Autorità civili e militari dello Stato, e della Guardia nazionale.

E pubblica lettura data, i membri del Governo e della Commissione sopradetta si sono sottoscritti coi Notai.

*Sottoscritti:* DE CASTAGNOLA — L. SANVITALE — G. CANTELLI — F. MAESTRI — P. PELLEGRINI — G. C. CARLETTI — G. BERTOLINI — G. B. NICCOLOSI — A. RONCHINI — E. ADORNI — A. LOMBARDI.

Nell'istante in cui erano per apporsi le soscrizioni, il signor Carlo Pastori, condottiere della seconda colonna mobile dei volontari parmensi, ed il signor dottore Enrico Rossi primo tenente della colonna stessa, composta di dugento uomini, non avendo prima d'ora potuto emettere il voto all'unione discorsa, perchè occupati in esercizi militari, hanno dichiarato essere la colonna loro unanimamente pel capitano dell'armata italiana S. M. Carlo Alberto.

*Sottoscritti:* PASTORI CARLO, Conduttore della seconda colonna mobile di Parma — Dottore ENRICO ROSSI, primo tenente. . . .

Si crede importante dai sottoscritti il dichiarare che oggi stesso è pervenuta a questo Governo provvisorio l'adesione per lettera di S. E. Rev. ma

solemn Act, excepting Signor Bandini, prevented from coming by ill health; the President of the Supreme Court, the Attorney General of the said Court, and the Keeper of the State Archives; in the presence of the Representatives of the People, of the Civil and Military Authorities of the State and of the National Guard.

After the public reading thereof, the members of the Government and Commission above mentioned signed with the Notaries.

(*Signed*): DE CASTAGNOLA, L. SANVITALE, G. CANTELLI, F. MAESTRI, P. PELLEGRINI, G. C. CARLETTI, G. BERTOLINI, G. B. NICCOLOSI, A. RONCHINI, E. ADORNI, A. LOMBARDI.

At the moment in which they were to affix their signatures, Signor Carlo Pastori, Commander of the Second Regiment of the Parma volunteers, and Dr. Enrico Rossi, First Lieutenant of the said Company, composed of two hundred men, not having been able to vote upon the proposed union, owing to military duty, declared their Company unanimously in favor of H. M. Carlo Alberto as Commander of the Italian Army.

(*Signed*) CARLO PASTORI, Commander of the Second Mobile Column of Parma, Dr. ENRICO ROSSI, First Lieutenant. . . .

The undersigned consider it important to declare that the Provisional Government has received today by letter the adhesion of His Excel-

Monsignor Vescovo di Borgo San Donnino al Governo di S. M. l'invitto Re Carlo Alberto, adesione da lui significata come conforme all'espressione della maggioranza dei cittadini. Onde il risultato ultimo della votazione per aggregazione al Regno Sardo, compresi i dugento della colonna mobile di cui in calce all'atto solenne, ascende al numero di trentasettemilaquattrocentocinquantuno (37,451). Si dichiara ad un tempo che al predetto atto solenne furono presenti anche le autorità ecclesiastiche non menzionate in esso per omissione materiale. Questa dichiarazione addizionale è stata sottoscritta dal Governo provvisorio e dalla Commissione incaricata dello squittinio e da noi Notai dopo lettura.

Parma questo di 26 maggio 1848.

*Sottoscritti:* De Castagnola — G. Castelli — L. Sanvitale — G. C. Carletti — F. Maestri — P. Pellegrini — G. Bandini — G. Bertolini — G. B. Niccolosi — A. Ronchini — Adorni — A. Lombardi.

lency the Rev. Bishop of Borgo San Donnino to the Government of H. M. the invincible King Carlo Alberto, an adhesion stated by him to be in accordance with the expression of the will of the majority of the citizens. Therefore, the final result of the voting for the union with Sardinia, including the two hundred of the Mobile Column which is annexed to the solemn act aforesaid reaches the number of thirty-seven thousand four hundred and fifty-one (37,451). It is declared at the same time that at the aforesaid solemn Act the ecclesiastic authorities were also present, not mentioned in the document through a serious omission. This additional declaration has been signed by the Provisional Government and the Commission in charge of the count, and by the Notaries after the reading.

Parma, May 26, 1848.

(*Signed*) De Castagnola, G. Castelli, L. Sanvitale, G. C. Carletti, F. Maestri, P. Pellegrini, G. Bandini, G. Bertolini, G. B. Niccolosi, A. Ronchini, Adorni, A. Lombardi.

## *Law of the Sardinian Parliament Accepting the Votes of Parma and Guastalla and Uniting them with the Sardinian States. Law of June* 16, 1848 [1]

Visto il risultamento della votazione universale tenutasi nei Ducati di Parma e Guastalla, presentata a S. M. da speciali deputazioni, secondo la

Whereas the result of the universal voting in the Duchies of Parma and Guastalla, presented to His Majesty by special deputations, according to quale è general voto di quelle popolazioni di riunirsi al nostro Stato.

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[1] From minutes of the session, *Le Assemblee,* vol. 1, p. 606. Guastalla had already voted to join Sardinia.

Per assicurare a quelle nuove provincie il godimento il più immediato possibile dei diritti politici.

Art. 1. I Ducati di Parma e Guastalla faranno parte integrante dello Stato a cominciare dalla data della presente legge.

Art. 2. Avranno immediato vigore nei Ducati medesimi lo Statuto fondamentale del Regno, e le leggi nostre sulla milizia comunale, sulle elezioni politiche e sulla stampa.

Art. 3. È data facoltà al Governo di provvedere in via d'urgenza con semplici decreti reali ad una provvisoria esecuzione delle operazioni elettorali sulla base dell'analogia colla legge elettorale vigente.

Art. 4. La linea doganale esistente tra il Ducato di Parma e gli Stati Sardi, come pure quella tuttora conservata tra questi e il Ducato non unito di Piacenza, verranno tolte.

Art. 5. La tariffa doganale Sarda in un colle variazioni alla medesima fatte fino alla data della presente, verrà provvisoriamente posta in vigore in quei due Ducati, non che in quello di Guastalla.

Art. 6. Sarà provvisto con decreto reale circa il modo ed il tempo di mandare ad effetto le disposizioni di cui nei due precedenti articoli.

Art. 7. Sarà pure provvisto nello stesso modo per quanto concerne all'uniformità di sistema e di prezzo nella

which the will of those populations for their union with our State is general,

In order to assure to these new provinces the earliest possible enjoyment of political rights,

Article 1. The Duchies of Parma and Guastalla shall form an integral part of the State, to commence from the date of the present law.

Art. 2. The Constitution of the Kingdom and our laws relating to communal militia, to political elections and to the press shall have immediate force in the said Duchies.

Art. 3. As a case of immediate necessity the Government is given the power to provide by royal decrees for a provisional execution of electoral proceedings on the basis of analogy with the existing electoral law.

Art. 4. The customs boundary existing between the Duchy of Parma and the Sardinian States, as likewise that maintained at present between the latter and the Duchy of Piacenza which is not united, shall be abolished.

Art. 5. The Sardinian customs tariff, with all the amendments to the same made up to the date of this present law, shall be provisionally put in force in these two Duchies, as well as in that of Guastalla.

Art. 6. Provision shall be made by royal decree concerning the manner and time of carrying out the provisions of the two preceding articles.

Art. 7. Provision shall also be made in the same manner for everything concerning the uniformity of vendita dei generi di privativa nei tre Ducati.

ART. 8. Nulla sarà però innovato riguardo al prezzo di vendita del sale.

ART. 9. Nel resto staranno provvisoriamente in vigore le leggi attuali, intanto che possa essere maturata la compiuta estensione della legislazione generale dello Stato ai Ducati di Parma e Guastalla.

I ministri sono incaricati della esecuzione della presente legge.

system and of prices in the private sale of merchandise in the three Duchies.

ART. 8. But nothing shall be altered in regard to prices in the sale of salt.

ART. 9. For the rest, the present laws shall remain provisionally in force, until the complete extension of general legislation of the State to the Duchies of Parma and Guastalla can be developed.

The ministers are charged with the execution of the present law.

### *The Provisional Government of Piacenza Makes Public the Result of the Plebiscite. May* 12, 1848 [1]

La Nazione italiana che dopo i Trattati del 1815 aveva subìto una lunga e dolorosa servitù e i di cui sforzi magnanimi più volte rinnovati furono contenuti sempre da una forza immensa, preponderante, finalmente, nell'anno 1848, aiutata dalla divina parola di Pio IX e dalla forza sempre crescente della civiltà ruppe il giogo straniero e si rivendicò in libertà, invocando il grande, l'imprescrittibile principio della sua Nazionalità.

Cessato per noi il regnare di Maria Luigia d'Austria, succedette Carlo II di Borbone, il quale per breve ora fu detto Duca di questi Stati. Il suo dominio antinazionale e misto con intimissime alleanze a quello dell'Austria dovette necessariamente e legittimamente cadere con l'altro al quale si reggeva.

The Italian Nation, which, after the Treaties of 1815, had submitted to a long and unhappy servitude, and whose great efforts, many times renewed, were always opposed by an immense and overwhelming force, finally, in the year 1848, helped by the sacred word of Pius IX, and the ever increasing power of civilization, broke the stranger's yoke and vindicated her liberty, invoking the great and unwritten principles of her Nationality.

When Maria Louisa of Austria ceased to reign over us, Carlo II of Bourbon succeeded, who, for a short time was called Duke of these States. His anti-national rule influenced by most intimate alliance with Austria necessarily and legitimately fell with that which upheld it.

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[1] *Le Assemblee*, vol. 1, p. 622.

Nel dì 26 marzo ultimo, gli Austriaci sgombrarono il Castello. Nel dì stesso la Città, rotti gli stemmi ducali, si proclamò libera e padrona di sè, dandosi con mirabile consenso di tutti gli ordini ad un Governo provvisorio, chè dura tuttavia benemerito ed approvato. In questo grande movimento un'idea dominava sopra tutte, di allontanarsi dal regime ducale incompatibile colla indipendenza della Nazione, e di accostarsi a tale altro Governo per cui fosse costituita e corroborata l'Unità Italiana.

Se non che a deliberazione così importante parve non fossero per bastare nè i Consigli ordinari nè qualunque altra Assemblea deliberante, ma si richiedesse propriamente il voto universale manifestato individualmente nella forma più lata possibile da ciascun cittadino.

Secondo questo concetto per voto del Consesso civico questo Governo con Atto del giorno 7 aprile ultimo, stabilì che ogni cittadino maggiore di età dovesse liberamente esprimere il suo voto sovra appositi registri per l'aggregazione di questo Stato ad altro Stato d'Italia.

I registri furono aperti in ogni Comune del Piacentino, nel dì 10 aprile suddetto, e furono chiusi nel giorno 2 maggio corrente e mandati dai rispettivi Podestà al signor Delegato del Governo di Piacenza.

Ed ora in virtù dell'Atto del Governo del 7 corrente maggio da noi

On the 26th of last March, the Austrians moved out of the Castle. The same day the City, having destroyed the ducal coat-of-arms, proclaimed herself free and mistress of herself, giving herself, with the wonderful agreement of all classes, a Provisional Government, which still exists, worthy and approved. In this great movement one idea predominated over all others, to break away from the ducal régime, incompatible with the independence of the Nation, and to draw near to any other Government by which Italian Unity would be established and strengthened.

But for such important deliberations, neither the ordinary Councils nor any other kind of Assembly seemed sufficient, therefore a universal vote was called for, to be given individually in the broadest form possible by each citizen.

In accordance with this plan for the vote of the Civic Assembly, this Government by Act of the 7th of last April, ordered that each citizen who was of age should freely express his vote upon registers provided therefor, for the union of this State to another State of Italy.

The registers were opened in all the Communes of Piacenza on the 10th of April, and were closed on May 2nd, and sent by the respective Mayors to the Delegate of the Government of Piacenza.

And now by virtue of the Act of Government of May 7th, Dr. Luigi dottor Luigi Guastoni, dottor Vincenzo Salvetti, amendue notai a Piacenza, e Antonio Bonora archivista di questo Municipio si procede con l'intervento delle infradistinte Autorità, e coll' assistenza dei Corpi civili, ecclesiastici e militari, ed in presenza del Popolo allo scrutinio dei sovraindicati registri che ci vengono qui presentati dal signor Delegato del Governo di Piacenza, Conte Guido Barattieri, e se ne opera lo spoglio come segue:

| | |
|---|---|
| Popolazione | 206,566 |
| Numero delle famiglie | 42,277 |
| Voti per l'aggregazione di questo Stato: | |
| Al Piemonte | 37,089 |
| Al Regno Lombardo-Veneto | 62 |
| A Parma | 11 |
| Allo Stato Pontificio | 352 |
| Alla Toscana | 10 |
| Voti indeterminati | 61 |
| Totale | 37,585 |

La maggioranza assoluta di voti è per la nostra aggregazione al Piemonte.

Questo risultato spiega essere stato quasi unanime il pensiero di tutti i nostri concittadini per la unione di questo Stato al Piemonte; tolte le donne, i minorenni, gli infermi, le Corporazioni regolari dal numero totale della nostra popolazione a poco più dell'ottenuto pel Piemonte si riduceva per noi il numero delle persone che potevano dar voto.

I registri si ripongono in casse di piombo e si consegnano al signor archivista, onde siano custoditi in questo Archivio municipale a tenore del citato Atto del Governo del 7 maggio corrente.

Guastoni, Dr. Vincenzo Salvetti, both notaries of Piacenza, and Antonio Bonora, Keeper of the Archives of this Municipality, proceed with the aid of the various authorities, and in the presence of the civil, ecclesiastical and military bodies, and in the presence of the people, with the count of the above-mentioned registers which were here presented by the Delgate of the Government of Piacenza, Count Guido Barattieri, and the count is made as follows:

| | |
|---|---|
| Population | 206.566 |
| Number of families | 42,277 |
| Votes for the union of this State | |
| With Piedmont | 37,089 |
| With the Lombard-Venetian Kingdom | 62 |
| With Parma | 11 |
| With the Pontifical States | 352 |
| With Tuscany | 10 |
| Undetermined | 61 |
| | 37,585 |

The absolute majority of the votes is for our union with Piedmont.

This result proves the almost unanimous wish of our citizens in favor of the union of this State with Piedmont; omitting the women, minors, the sick, and the Corporations of regulars from the total number of our population, the number of people able to vote was reduced to little more than the number of votes obtained for Piedmont.

The registers, placed in leaden caskets, have been given in charge of the Keeper of the Archives to be preserved in the Municipal Archives according to the Governmental Act of May 7th.

Da questo inclito Governo ci si presenta un Estratto di deliberazione presa dal Consesso civico di Piacenza nel dì 8 corrente, ove si esprimono diversi voti coi quali intende si abbia ad accompagnare l'Atto di nostra adesione al Piemonte. E questa presentazione viene fatta onde quell'Estratto di delibera si rimanga unito e faccia parte dell'Atto presente. E da noi notai ed archivista lo si unisce di fatto a quest'Atto ed è del tenore seguente:

### *Estratto della deliberazione del Consesso civico di Piacenza del di 8 maggio* 1848

Il Consesso civico nella omai certa previsione che il nostro territorio sia per aggregarsi al Piemonte ha unanimemente espresso i seguenti voti coi quali si abbia ad accompagnare l'Atto di dedizione al Governo di S. M. Sarda:

1° Che la città di Piacenza sia tenuta Capoluogo di divisione non soggetta a dipendenze amministrative se non verso le Autorità supreme e centrali dello Stato.

2° Che la sia conservato oltre il Tribunale civile e criminale un Tribunale d'appello come lo ha di presente;

3° Che gli studi del Liceo siano mantenuti ed ampliati secondo è richiesto dalla ragione de'tempi;

4° Che possa reggersi colle proprie leggi civili e penali insino a che la legislazione piemontese non abbia subìte le riforme sostanziali di già

This illustrious Government makes public an Extract of Deliberations made by the Civic Assembly of Piacenza on the 8th instant, where many votes are expressed with the intention of joining in the Act of our adhesion to Piedmont. And this presentation was made in order that the extract of deliberation may be complete, and form part of the present Act, and by us, Notaries and Archivist it is formally appended to this Act and reads as follows:

### *Extract of the Deliberation of the Civic Assembly of Piacenza May* 8, 1848

The Civic Assembly in the now certain provision that our territory will be united to Piedmont has unanimously expressed the following wishes to accompany the act of transmission to the Government of his Sardinian Majesty:

1. That the city of Piacenza be held to be the capital of a district, and not subject to any administrative jurisdiction, save that of the supreme and central authority of the State;

2. That there be continued, beside the Civil and Criminal Courts, a Court of Appeals as it now exists;

3. That the Lyceum be maintained, and the studies amplified according to the demands of the times;

4. That it shall be ruled by its own civil and penal laws, until the Piedmontese legislation has been subjected to the substantial reforms al-

promesse e reclamate dal nuovo stato di cose.

5° Che sieno mantenite le disposizioni definite di lor natura e permanenti date dall'attuale Governo provvisorio ed in ispecie quelle risguardanti i beni del Patrimonio dello Stato.

Per copia conforme

*Il Segretario del Consesso civico di Piacenza,* G. Mischi.

Tutte queste cose si sono fatte in Piacenza nella Chiesa dei SS. Protaso e Francesco posta nella Piazza de'Cavalli, oggi 10 maggio 1848 alle ore 12 meridiane coll'intervento degli illustrissimi signori . . . (*Seguono le firme*).

Questo atto si fa in triplo originale, e dopo lettura fattane dal notaro Guastoni, viene sottoscritto dagli Illustrissimi Signori intervenienti, da noi notai e dall'archivista.

*Sottoscritti:* Pietro Gioja — Antonio Anguissola — Camillo Piatti.[1] . . .

Si certifica vera la firma qui sopra posta del signor dottore Luigi Guastoni notaio residente in Piacenza.

*Piacenza* 12 *maggio* 1848

*Il Presidente del Tribunale civile e criminale,* G. Comelli.

L. Bordi, *Cancelliere.*

Si certifica vera la firma del Signor Giuseppe Comelli Presidente del Tribunale civile e criminale.

*Piacenza li* 12 *maggio* 1848.

*Il Governo provvisorio*

ready promised and called for by the new state of things.

5. That all definite and permanent arrangements made by the present Provisional Government shall be maintained, especially by those regarding the property of the Patrimony of the State.

A true copy

*Secretary of the Civic Assembly of Piacenza,* G. Mischi.

All these things were done in Piacenza, in the church of SS. Protaso e Francesco on the Piazza de' Cavalli, to-day, May 10th, 1848, at twelve o'clock in the presence of the illustrious gentlemen. . . . (*Signatures follow.*)

This act was made in triplicate, and after the reading by the Notary, Guastone, was signed by the illustrious gentlemen present, by us the Notaries and by the Keeper of the Archives.

(*Signed*) Pietro Gioja, Antonio Anguissola, Camillo Piatti. . . .

We certify to the authenticity of the signature placed above by Dr. Luigi Guastoni, notary residing in Piacenza.

*Piacenza, May* 12*th,* 1848.

*President of the Civil and Criminal Court,* G. Comelli.

L. Bordi, *Chancellor.*

We certify to the authenticity of the signature of Mr. Guiseppe Comelli, President of the Civil and Criminal Court.

*Piacenza, May* 12*th,* 1848.

*The Provisional Government.*

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[1] The other 62 signatures given in the original are omitted.

P. Gioia — A. Anguissola D'Altoe — C. Marazzani — C. Piatti — A. Emmanueli.

*I Segretari del Governo provvisorio* Dott. Camillo Fioruzzi — Avv. Carlo Giarelli.

Con successivo atto 7 giugno 1848 si rettifica lo spoglio, aggiungendo il risultato di quattro Comuni non compresi nell Atto precedente, costituendo così le cifre definitive seguenti:

| | |
|---|---|
| Popolazione | 217,789 |
| Numero delle famiglie | 44,586 |
| Voti per l'aggregazione al Piemonte | 38,770 |
| Id. a Roma | 378 |
| Indeterminati | 66 |

P. Gioia, A. Anguissola D'Altoe, C. Marazzani, C. Piatti, A. Emmanueli.

*The Secretaries of the Prov. Government,* Dott. Camillo Fioruzzi, Avv. Carlo Giarelli.

By the additional Act of June 7th, 1848, the count was rectified, by adding the result of four communes not included in the preceeding Act, thus making the final figures become:

| | |
|---|---|
| Population | 217,789 |
| Number of families | 44,586 |
| Votes for union with Piedmont | 33,770 |
| Votes for union with Rome | 378 |
| Indeterminate | 68 |

## Modena and Reggio

### *The Municipality of Reggio Proclaims a Plebiscite on the Question of Union with Sardinia. May 3, 1848* [1]

Concittadini!

Secondando l'istanza presentata a questi Atti da alcuni Cittadini caldi di vero amor patrio, i quali negli andati giorni hanno raccolta una quantità considerevolissima di firme ad una soscrizione volontaria, apertasi per manifestare il desiderio degli abitanti di questa Provincia di unir prontamente i Ducati Estensi al Regno Piemontese, formando cogli Stati Parmensi, colla Lombardia e colla Venezia un Regno dell'Alta Italia, questo Comune ad imitazione di molte altre città italiane, ha nominata una Commissione dei signori:

Sac. Dott. Luigi Majoli — Dott.

Citizens:

In compliance with the demand annexed to these Acts by a number of citizens, who, glowing with love of country, have collected a considerable quantity of signatures to a voluntary petition which had been started to show the desire of the inhabitants of this Province for the immediate union of the Duchies of Este with the Kingdom of Piedmont, forming with the states of Parma, Lombardy and Venetia a Kingdom of Upper Italy, this Commune, in imitation of many other Italian cities, has elected a commission composed of the following members:

Rev. Dr. Luigi Majoli — Dr.

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[1] *Le Assemblee,* vol. 1, p. 481.

Nicomede Bianchi — Dott. Pietro Menozzi . . . incaricati specialmente a raccogliere e custodire religiosamente le firme di tutti quelli che per moto *assolutamente libero* e *assolutamente spontaneo* sono desiderosi, di dare i loro nomi all'Atto suddetto, il cui tenore proposto è il seguente:

Viva L'Italia — Viva Carlo Alberto — Viva La Costituzione — Viva il Regno dell'Alta Italia.

Noi desideriamo di unirci al Piemonte a fine di formare colla Lombardia un Regno forte, compatto, agguerrito, protetto dalla stessa spada, retto dalle medesime leggi costituzionali. Frattanto organizzeremo le nostre truppe con gli ordini militari del Piemonte ed ordineremo possibilmente la nostra Amministrazione colle leggi amministrative di quel Regno. I patti e le condizioni della definitive e stabile fusione politica saranno particolarmente ventilati e discussi nella Generale Assemblea, composta dai Rappresentanti di tutte le Provincie, che si vorranno aggregare (e saranno crediamo oltre le Lombarde anco le Venete) al Regno Subalpino: Assemblea necessaria per fissare i principi dell' assimiliazione con riguardo agli interessi e alle condizioni locali di ciascuna Provincia. Questi patti saranno per noi da stabilirsi sulle seguenti basi:

1°. Lo Statuto Costituzionale sarà il più largo ed il più popolare possibile;

Nicomede Bianchi — Dr. Pietro Menozzi . . . especially charged with the function of collecting and carefully keeping the signatures of all those who, moved by an *absolutely free and spontaneous* desire, wish to give their signatures to the Act above mentioned of which the proposed tenor is as follows:

Long Live Italy — Long Live Carlo Alberto — Long Live the Constitution — Long Live the Kingdom of Upper Italy.

We desire to join with Piedmont in order to form with Lombardy a strong and compact Kingdom, fortified and protected by the same sword, and under the same constitutional laws. In the meanwhile we shall organize our troops under the military orders of Piedmont and shall possibly conform our administration to the administrative laws of that Kingdom. The pact and the conditions of a final and stable political fusion shall be brought up in detail and discussed in the General Assembly, composed of representatives of all the provinces which may wish to join with the Subalpine Kingdom (the Venetian will be included with the Lombard Provinces we believe); an Assembly necessary to determine the principles of assimilation with regard to the interests and local conditions of each Province. These pacts will be settled by us upon the following basis:

1. The Constitution shall be as broad and as popular as possible.

2°. Resteranno a nostro escluso profitto i beni Camerali ed Allodiali dell'ex-Ducato Estense, non che i patrimoni delle Opere Pie e dei Comuni;

3°. Saranno ordinati gli Studi ed i Tribunali in modo che torni comoda e spedita il piu che si può l'Istruzione pubblica e l'Amministrazione della giustizia.

La Commissione suddetta risederà in questo Palazzo Comunitativo ogni giorno, dalle ore dieci antimeridiane alle ore due pomeridiane, e cesserà le sue operazioni il giorno 25 del mese corrente. Chiunque intanto ama di vedere viemmeglio rassicurata la Nazionalità e la Indipendenza Italiana è invitato a dare il suo libero voto alla sopra indicata soscrizione, iniziatrice e preparatrice dell'Assemblea, la quale deciderà definitivamente dei futuri nostri destini.

*Del Palazzo del Comune di Reggio, li* 3 *maggio* 1848.

*Pel Comune:* L. Corbelli.
Prandi-Pieroni, *Segretari.*

2. The corporate funds and freeholds belonging to the former Duchy of Este, not excluding the property of charitable institutions and of the communes, shall remain to our exclusive profit.

3. The Universities and the Courts shall be organized in such a way that the public instruction and the administration of justice shall be as expeditious and convenient as possible.

The said Commission shall sit in this Communal Palace every day from the hour of 10 a. m. to the hour of 2 p. m. and shall terminate its labors on the 25th day of the current month.

Whoever, meanwhile, desires to see the cause of Nationality and Italian Independence fulfilled is invited to give his free vote to the petition indicated above which will bring about and prepare the Assembly, which will definitely decide our future destinies.

*From the Communal Palace of Reggio, the* 3rd *of May,* 1848.

*For the Commune,* L. Corbelli.
Prandi-Pieroni, *Secretaries.*

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## *The Podesta Publishes the Electoral Arrangements. May* 5, 1848 [1]

### IL PODESTÀ DEL COMUNE DI REGGIO NOTIFICA

Che ad agevolare maggiormente gli effetti del Proclama del 3 corrente, col quale s'invitano i Cittadini a dare

### THE PODESTA OF THE COMMUNE OF REGGIO

Gives notice that, in order to better accomplish the purposes of the Proclamation of the 3rd inst., by which

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[1] *Le Assemblee,* vol. 1, p. 482.

libero voto alla soscrizione per la tanto bramata formazione di un Regno dell'Alta Italia, il Comune, accogliendo volenteroso un indirizzo del Circolo Politico di questa Città, il quale facendo plauso alla suddetta soscrizione ha chiesto di coadiuvare la Commissione Generale delegata a raccogliere e custodire le firme dei soscrittori; ha nominato una Commissione sussidaria composta dei signori:

Prof. Francesco Selmi
Marco Ravà
Dott. Giambattista Giavarini
Dott. Giampaolo Zannoni
Avv. Antonio Folloni
Dott. Giuseppe Turri
Dott. Massimiliano Garavelli
Antonio Codazzi
Dott. Giambattista Gorisi
Basilio Gradellini
Bartolommeo Donelli
Dott. Giovanni Fiastri.

La suddetta Commissione sussidiaria per maggiore comodità del Popolo risiederà dalle sei della mattina alle due pomeridiane nell'antico locale della farmacia Bezzi sotto il Broletto di questa Città.

Essa è incaricata a raccogliere i nomi e cognomi delle persone ignare di lettere, le quali desiderano concorrere nel suddetto voto; nonchè a prestar mano ai Parrochi di questa Città per la piu pronta raccolta delle firme e dei nomi.

Nel giorno 25 corrente anche la Commissione sussidiaria cesserà dalle sue funzioni e passerà le cartelle di

the citizens are invited to give their free vote to the petition for the much desired formation of a Kingdom of Upper Italy, the Commune, willingly accepting an address of the Circolo Politico of this City, which, favoring the said petition, has asked to assist the General Commission delegated to receive and care for the signatures of those who wish to sign, has appointed a subsidiary Committee composed of the following:

Prof. Francesco Selmi
Marco Ravà
Dr. Giambattista Giavarini
Dr. Giampaolo Zannoni
Adv. Antonio Folloni
Dr. Giuseppe Turri
Dr. Massimiliano Garavelli
Antonio Codazzi
Dr. Giambattista Gorisi
Basilio Gradellini
Bartolommeo Donelli
Dr. Giovanni Fiastri

The said subsidiary Committee, for the greater convenience of the people, shall sit from 6 in the morning till 2 P. M., in the former premises of the pharmacist Bezzi, under the Broletto of this City. They are charged with the collection of the names and the surnames of those illiterate persons who desire to take part in the said vote: also to lend assistance to the parish priests of this City so as to collect the signatures and the names as quickly as possible.

On the 25th day of the current month the Subsidiary Committee shall cease from its functions, and

soscrizione alla Commissione Generale pel necessario spoglio dei nomi dei soscrittori.

*Reggio, dal Palazzo del Comune li* 5 *maggio* 1848.
*Pel Podestà:* L. Corbelli.
Prandi-Pieroni, *Segretari.*

shall give the papers, with the signatures, to the General Commission, for the necessary counting of the names of the subscribers.

*Reggio, from the Palace of the Commune, the* 5th *day of May,* 1848.
*For the Podestà,* L. Corbelli.
Prandi-Pieroni, *Secretaries.*

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### *The Municipality of Modena Proclaims a Plebiscite. May* 10, 1848 [1]

## MUNICIPIO DI MODENA

E desiderio crescente fra noi, è bisogno universalmente sentito quello di fissare per sempre i destini del nostro paese. Prima necessità di uno Stato è la propria indipendenza, e per ottenere indipendenza non peritura è indispensabile l'unione. L'unione sola può difendersi dal minacciante straniero e guardare par l'avvenire i nostro confini, l'unione sola può regolare stabilmente la cosa pubblica, fornirci di ordinati eserciti, proteggere le nostre industrie, i nostri commerci, tutelare la vita e l'onore della famiglie.

. . . . . .

Il Municipio di Modena compreso da queste ragioni e persuaso di giovare, non solo al proprio paese, ma alla grande causa italiana e volendo eziandio secondare il voto pubblico, già in tanta parte manifestatosi col mezzo di spontanee sottoscrizioni, e di più confortato oggi dal senno di scelta mano di cittadini

## MUNICIPALITY OF MODENA

It is an ever increasing desire among us, and a need universally felt, to determine for all time the destinies of our country. The primary necessity of a State is its own independence, and in order to obtain an independence which shall not be transitory a union is indispensable. Union, alone may be defended from threatening strangers, and may guard our frontiers in the future; union alone can regulate public matters in stable fashion and can organize armies, protect our commerce, our industries, and uphold the life and the honor of the family.

. . . . . .

The Municipality of Modena, considering these reasons, and sure that it is aiding not only its own country, but also the great Italian cause, and wishing, also, to favor the public will, already manifested in so many places by signatures spontaneously given, and, moreover, being to-day supported by the opinions of a distinguished group of citizens;

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[1] *Le Assemblee,* vol. 1, p. 483.

DETERMINA:

di aprire appositi registri per accogliere le firme di quanti concorrono nell'avviso della nostra unione col Piemonte per fermare un grande *Regno costituzionale dell'Alta Italia,* dietro il programma che segue:

Viva L'Italia! Viva Carlo Alberto! Viva la Costituzione! Viva il Regno dell'Alta Italia!

Se la mano di Dio ha protetto l'Italia per liberarla, è necessario operare prontamente per non ricadere in più duro e abbietto servaggio, per non essere maledetti dalle generazioni venture. Ogni istante è prezioso; ogni indugio può rendere impossibile la difesa. Qualunque sia nel fondo del loro cuore l'opinione che professano, tutti gl'italiani dell'Alta Italia debbono unirsi in un solo Regno d'Italia, che abbracci Lombardo-Veneto, Piemonte, Liguria, Sardegna, Modenese e Parmigiano, ristabilendo così e di gran lunga allargando il pensiero di Bonaparte.— Che il Regno sia Monarchico-Costituzionale ereditario in Carlo Alberto e sua discendenza mascolina.— Che provvisoriamente, e per la prima Assemblea si adotti lo Statuto costituzionale piemontese, aggiungendo alle Camere un numero di membri proporzionato alle popolazioni che si uniranno.— Che le Camere alla prima adunanza possano modificare ed allargare lo Statuto a norma dei bisogni.— Che sia adottato

DETERMINES:

To open a register, adapted to the collecting of the signatures of those who are agreed as to our union with Piedmont, in order to form a great *Constitutional Kingdom of Upper Italy,* according to the following program:

Long Live Italy! Long Live Carlo Alberto! Long Live the Constitution! Long Live the Kingdom of Upper Italy!

If the hand of God has protected Italy in order to liberate her, it is necessary for us to act promptly, so that she may not fall again into harder and more abject slavery, in order that we may not incur the curses of future generations. Every minute is precious: every delay may render defence impossible. Whatever the opinions cherished at heart, whatever the opinions which we profess, all the Italians of Upper Italy must join together in one Kingdom of Italy, which should embrace Lombardy, Venetia, Piedmont, Liguria, Sardinia, Modena, and Parma, thus reestablishing and really amplifying the plans of Bonaparte. The Kingdom shall be a Constitutional Monarchy, hereditary in Carlo Alberto and his male descendants. Provisionally, and for the first Assembly, the Constitution of Piedmont shall be adopted, adding to the Chamber a proportional number of members from the populations which shall join. The Chamber, at the first meeting, may un largo sistema municipale e comunale.— Che siavi eguaglianza di doveri e di diritti in tutti i cittadini, a qualunque culto appartengano.

Ma poichè la situazione di questi paesi permette di ottenere certe altre istituzioni, che noi crediamo necessarie, giuste ed ultilissime ai medesimi, si propone di stabilire:

1° I beni demaniali ed allodiali dell'ex Duca saranno riservati alle due provincie di Modena e di Reggio per essere erogati come stabiilirà il Governo provvisorio attuale, unitamente ai Municipi di Modena e di Reggio;

2° Sarà tenuto perpetuamente distinto il debito pubblico dei diversi componenti all'epoca dell'aggregazione;

3° Saranno conservati tutti gli stabilimenti delle due Provincie aventi fondi propri, ed all'Università di Modena e Liceo di Reggio, saranno destinati i beni gesuitici delle du Provincie, portando insieme all'Università e Liceo suddetti quei miglioramenti che i tempi richiederanno;

4° In ogni caso di Lega doganale col rimanente d'Italia, la quota del Regno sarà proporzionata al ragguagliato introito, cumulato insieme, delle singole finanze dei componenti;

5° In Modena antica sede d'una

modify and enlarge the Constitution as necessity requires. A broad municipal and communal system shall be adopted. There shall be equalization of duties and of rights for all citizens, to whatever religion they may belong.

But as the situation of these countries allows the establishment of certain other institutions which we believe necessary, just, and expedient to the same, it is proposed to establish that,

1. The estates and landed property of the former Duke shall be reserved for the two Provinces of Modena and Reggio, to be disposed of as the present Provisional Government shall decide, jointly with the Municipalities of Modena and Reggio.

2. The public debts owed by the several countries at the period of union shall be held perpetually distinct.

3. All the establishments of the two provinces which have their own funds shall be preserved, and the wealth of Jesuits of the two Provinces shall be given to the University of Modena and the Lyceum of Reggio, giving to the said University and Lyceum the improvements which the times may require.

4. In every case of the application of the tariff laws in relation with the other provinces of Italy, the rate of the Kingdom shall be in proportion to the total income ascertained from adding together the separate incomes of the various parts.

5. In Modena, the ancient seat of

rinnovata Scuola del genio, ne verrà stabilita una nuova;

6° In Modena e in Reggio vi sarà tribunale di prima istanza, e in Modena un magistrato supreme d'appello, oltre gli istituti relativi alle Camere e tribunali di commercio, che verranno necessariamente estesi anche a queste Provincie.

Ed è per i sovraesposti urgentissimi motivi, e per non lasciar trascorrere un momento, che forse potrebbe essere unico, che sotto le condizioni già dette i sottoscritti aderiscono all'unione col Regno di Sardegna, non dubitando che il loro esempio venga imitato dagli altri nostri fratelli d'Italia.

Il Municipio nomina una Commissione composta dei signori dottor Egidio Boni, Guicciardi conte Francesco, Peretti professore dottor Antonio, . . .

La detta Commissione è incaricata di assistere alle firme per la loro autenticità, e consegnarne a debito tempo gli elenchi al Municipio istesso. Essa risiederà in questo Palazzo municipale ogni giorno dalle ore 10 antimeridiane alle 2 pomeridiane, e cesserà dalle sue funzioni col giorno 25 del corrente mese di maggio.

*Modena, dal Palazzo municipale,* 10 *maggio* 1848.

*La Commissione:*

PARENTI, *Presidente;* LUCCHI, GIUDELLI, MONTANARI, MANZINI, PADOA, AGGAZZOTTI.

a School of Engineering, a new one shall be established.

6. In Modena and in Reggio there shall be a lower tribunal and in Modena a Supreme Court of Appeal: besides the institutions in connection with the Chambers and Courts of Commerce which necessarily will be extended to these Provinces also.

It is for the above mentioned and extremely urgent reasons, in order not to let pass a moment which may be the only one, that the undersigned adhere, under the said conditions, to union with the Kingdom of Sardinia, not doubting that their example will come to be imitated by their other Italian brothers.

The Municipality nominates a Commission composed of the following: Dr. Egidio Boni, Count Francesco Guicciardi, Prof. Dr. Antonio Peretti, . . .

The said Commission is instructed to be present at the signing, so as to be responsible for the authenticity of their signatures, and shall make a report of the delivery of the lists into the hands of the Municipality. It shall sit in the Municipal Palace every day from the hour of 10 A.M. to 2 P.M., and cease from its functions on the 25th of the current month of May.

*Modena, the Municipal Palace, May* 10*th,* 1848.

*The Commission.*

PARENTI, *President;* LUCCHI, GIUDELLI, MONTANARI, MANZINI, PADOA, AGGAZZOTTI.

## *The Provisional Government of Modena, Reggio and Guastalla Embodies the Result of the Plebiscites in a Formal Act of Union with the Sardinian States. May 29,* 1848 [1]

Trascorso il tempo assegnato a raccogliere le sottoscrizioni, il Municipio di Modena chiese alla Commissione, incaricata a tale uffizio, una minuta relazione dei risultati ottenuti, ed esaminati i Registri e gli altri documenti, che irrefragabilmente constatavano il voto libero e universale dei Modensi e loro Provincia di aggregarsi immediatamentel al Regno Sardo, addì 27 maggio in piena e solenne adunanza con partito preso ad unanimità, il COMUNE DI MODENA stabiliva che immediatamente i Reggenti provvisionali dovessero proclamare siffatta unione e per Atto pubblico e solenne ultimarla. I Municipi di Reggio e di Guastalla avevano fatto la stessa domanda, onde il pubblico banditore addì 29 di quel mese lesse il proclama seguente:

### IL GOVERNO PROVVISORIO DI MODENA, REGGIO, GUASTALLA,[2] ECC., ECC.

Veduta la rappresentanza del Municipio di Modena del 27 andante maggio 1848, il quale notifica al Governo provvisorio, che:

Atteso l'unanime consenso degli intervenuti ad una numerosa e straor-

When the time assigned for the collecting of the signatures was passed, the Municipality of Modena requested of the Commission charged with that function, a minute report of the results obtained, and having examined the registers and other documents which irrefutably establish the free and universal vote of the inhabitants of Modena and their Province for immediate union with the Kingdom of Sardinia, on the 27th day of May, at a full and solemn meeting, with a resolution taken unanimously, the COMMUNE OF MODENA at once decided that the Provisional Regents of Reggio should immediately proclaim this union by a solemn public act. The Municipalities of Reggio and of Guastalla have made the same demand, therefore the Public Crier, on the 29th day of this month read the following proclamation:

### THE PROVISIONAL GOVERNMENT OF MODENA, REGGIO, GUASTALLA, ETC., ETC.

In view of the request of the Municipality of Modena, of the 27th day of the current month of May, 1848, which notifies the Provisional Government that:

In view of the unanimous consent of those present at an extraordinarily dinaria adunanza municipale tenuta il 10 corrente per la nostra unione al Piemonte e per la formazione d'un Regno dell'Alta Italia;

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[1] *Le Assemblee,* vol. 1, p. 491.

[2] Guastalla had voted for union with Modena and Reggio on May 24. *Ibid.,* p. 488.

Atteso una coerente dimostrazione popolare e della Guardia civica in massa, accaduta il giorno 22 successivo;

Atteso il libero voto expresso dai cittadini con le loro sottoscrizioni nei registri aperti, giusta il proclama del detto giorno 10, unitamente a quelle del clero, dei dipartimenti della giustizia, dell'istruzione pubblica, della finanza, della guerra, del lavori pubblici, della polizia, del Governo provinciale amministrativo, della Guardia civica stessa, della Presidenza delle Opere pie, non che dei diversi comuni della provincia, cha hanno fatto capo a detto Municipio con lo inoltrare i rispettivi elenchi;

Atteso l'indirizzo dei nostri prodi volontari di Governolo 15 maggio 1848;

Atteso l'altro indirizzo del circolo pattriotico di Modena 23 maggio stesso;

Risulta una maggioranza assoluta per la detta unione; maggoranza che è aumentata dalle sottoscrizioni che si vanno continuando;

E quindi conclude perchè si proceda ad un atto importante la votata unione di questi Stati al Regno Sardo, accettando per ora lo Statuto costituzionale piemontese da modificarsi sopra più larghe basi dal Parlamento nazionale.

large municipal meeting; held the 10th inst. for our union with Piedmont and for a formation of the Kingdom of Upper Italy;

In view of a consistent demonstration of the people and of the Civil Guard "en masse," on the 22nd day of the following month;

In view of the free vote of the citizens, expressed by their signatures in the open registers, in accord with the said proclamation of the 10th of the month jointly with those of the clergy, of the departments of justice, of public instruction, of finance, of war, of public works, of police, of the Provincial Administrative Government, of the Civic Guard itself, of the President of Charitable Works, as well as the diverse communes of the Provinces which have kept up with the said Municipality, in promoting their respective lists;

In view of the address of our worthy volunteers of Governolo, on the 15th day of May, 1848;

In view of the other address of the Cercolo Patriotico of Modena, of the 23rd day of the same month of May;

There results an absolute majority for the said union; a majority which is increased by the signatures which are still coming in;

And thus concludes because it is time to proceed to an important act, the union by vote of these States with the Kingdom of Sardinia, accepting for the present the Constitution of Piedmont, to be made over upon a more liberal basis by the National Parliament;

Veduta la rappresentanza del Municipio di Reggio, il quale notifica a questo Governo provvisorio, che eseguito lo spoglio legittimo delle firme alla soscrizione per l'aggregazione della provincia di Reggio al Regno costituzionale del Piemonte, e risultante ad evidenza l'assoluta maggioranza del voto popolare, intende che sia fatta sollecita profferta della propria unione al Regno Subalpino;

Veduto che per le provincie di Guastalla e del Frignano hannosi non certe prove del voto universale da esse espresso per l'unione al Piemonte, voto risultante da un numero di soscrizioni che rappresenta un'assoluta maggioranza;

Considerando che al seguito dei separati spogli delle firme, dimostrazioni ed altri atti è comprovato l'universale desiderio delle provincie degli Stati gia Estensi alla immediata unione al Regno Sardo;

Il Governo Provvisorio, quale organo delle medesime, eseguendo la volontà espressa dalle suindicate provincie.

PROCLAMA:

1. Le provincie di Modena, Reggio, Guastalla, Frignano, ecc., ecc., ecc., sono unite immediamente agli Stati Sardi, ed a quelle qualunque provincie italiane, che in seguito potessero unirsi ad essi Stati, all'intento di cos-

In view of the fact that the Representatives of the Municipality of Reggio have notified this Provisional Government that the result of the signatures to the petitions, duly counted clearly shows that an absolute majority of the popular vote of the Province of Reggio is for union with the Constitutional Kingdom of Piedmont it demands that the offer of its own union with the Subalpine Kingdom should be proffered at once;

In view of the fact that in the Provinces of Guastalla and of Frignano there is a no less certain proof of their universal vote for union with the Kingdom of Piedmont, the whole vote resulting in a number of signatures which represent an absolute majority;

Considering that after the separate computations of the signatures, demonstrations and other acts have proved the universal desire of the Provinces of the States which were formerly under the family of Este to unite in an immediate union with the Kingdom of Sardinia;

The Provisional Government, as the representative of the same, carrying out the expressed will of the above mentioned provinces,

PROCLAIMS:

1. The Provinces of Modena, Reggio, Guastalla, Frignano, etc., etc., etc., are immediately united to the States of Sardinia and to whatever other Italian Provinces may in future be joined to those states, with the ob-

tituire un Regno costituzionale dall'Alta Italia, sotto la dinastia della Casa di Savoia.

2. I deputati prescelti dalle rispettive provincie sono incaricati di presentare a Sua Maestà Sarda il presente atto di unione.

3. Per ciò che riguarda gl'interessi locali, ciascuna provincia nominerà la propria Commissione per trattarne parzialmente col Governo Sardo sulla base dei voti spiegati nei proclami 3 maggio del comune di Reggio e 10 maggio del Municipio di Modena, e per presentare i documenti tutti comprovanti la suespressa volontà delle singole provincie.

4. Con questo atto di unione non s'intendono pregiudicati i diritti sulle provincie segregatesi di fatto dallo Stato già Estense, di cui facevano parte.

*Dalla residenza del Governo provvisorio, Modena, 29 maggio* 1848.

GIUSEPPE MALMUSI, *Presidente;* PERETTI, FERRARI, GIOVANNINI, G. MINGHELLI, PIETRO DANERI.

*Segretari:* PIANI — L. MINGHELLI.

ject of establishing a Constitutional Kingdom of Upper Italy, under the dynasty of the House of Savoy.

2. The Deputies chosen by the respective Provinces are charged to present to His Majesty of Sardinia the present Act of Union.

3. As for local interests each province shall nominate its own Commission in order to negotiate separately with the Government of Sardinia on the basis of the desires already expressed in the proclamations of the third of May, by the Commune of Reggio, and the tenth of May by the Municipality of Modena, and to present the documents, all proving the above expressed wish of the separate provinces.

4. This Act of Union is not intended to prejudice the rights of the provinces which have actually withdrawn from the State formerly belonging to the family of Este of which they once were part.

*The Residence of the Provisional Government of Modena, May* 29th, 1848.

GIUSEPPE MALMUSI, *President;* PERETTI, FERRARI, GIOVANNINI, G. MINGHELLI, PIETRO DANERI.

PIANNI — L. MINGHELLI, *Secretaries.*

## *Formal Act Embodying the Results of the Plebiscite of Reggio. May* 30, 1848 [1]

### DAVANTI A DIO ONNIPOTENTE

L'anno 1848 dell'Era volgare, indizione Romana VI, questo giorno 30 del mese di maggio, e 71 della nostra Libertà.

Caduta l'Austro-Estense dominazione in quel giorno, in cui gli Italiani sorsero a vendicar l'indipendenza della loro Nazione, la Città di Reggio ritornata negli antichi suoi diritti, avocò a sè la sovranità di questa Provincia coll'unito proclama del 22 marzo ultimo scorso, professando di voler appartenere a quell'Italia, che fu benedetta dalla parola di Pio, ed è protetta dal brando del Magnanimo Re Carlo Alberto.

Si resse da sè per alcuni giorni, poscia mandò suoi Rappresentanti in Modena, per formarvi provvisoriamente un Governo Centrale, duraturo finchè il Popolo avesse liberamente scelta quella forma di Governo stabile, che a lui fosse più in grado.

Non poteva essere dubbia la scelta quando un Re valoroso, raccogliendo intorno a sè l'armi italiane, discaccia lo straniero dall'Italia per farne una Nazione.

Onde ben presto il Municipio, conoscendo per prove indubitate che le popolazioni di questa Provincia erano impazienti di attendere la convocazione di una Assemblea, e persuaso che la volontà universale si manifestava più direttamente e più liberalmente a

### IN THE PRESENCE OF ALMIGHTY GOD

The year 1848 of the Christian Era, Roman Indiction VI, this 30th day of the month of May and the 71st of our Freedom.

The Austro-Este domination having fallen on the day on which the Italians rose to assert the independence of their Nation, the City of Reggio, having regained its ancient rights, assumed the sovereignty over this Province in the united Proclamation of March 22 last, professing its desire to belong to that Italy which was blessed by the word of Pius and is protected by the sword of the Magnanimous King Carlo Alberto.

It governed itself for some days, then sent its representatives to Modena, in order to form there provisionally a Central Government, to last until the people should have chosen the form of stable government which might best suit it.

There could be no doubt about the choice when a valorous King, gathering about him the Italian arms, expelled the foreigner from Italy in order to make of her a Nation.

Wherefore very soon the Municipality, knowing from indubitable evidence that the people of this Province were too impatient to wait for the convocation of an assembly, and being convinced that the universal will would be manifested more directly

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[1] *Le Assemblee,* vol. 1, p. 489.

mezzo di separate soscrizioni, aprì con suo proclama del 3 corrente appositi registri in tutta la Provincia presso le Comunità ed i Parrochi per ricevere i voti dell'aggregamento di essa al Regno costituzionale del Piemonte.

Mentre i registri si coprivano regolarmente in ogni dove di firme, pubbliche e solenni dimostrazioni del Popolo in diversa maniera celebrate nella Città e nei Comuni, come ne prestano fede luminosa parecchi Atti autentici esistenti presso il nostro Municipio, e di cui fa cenno l'ufficiale rapporto della Commissione Generale istituita col citato proclama da inserirsi in estratto, palesavano l'universale desiderio; e si innalzava il Vessillo Italiano collo Scudo di Savoia.

Chiusi pertanto tutti i registri rimessi alla indicata Commissione, e da quella unitamente al citato rapporto al nostro Comune, ha questi immediatamente deliberato con partito del 26 cadente e con successivo manifesto, che a perpetuità di memoria il risultamento finale resti autenticato con Atto pubblico e solenne.

Quindi è che da noi Dottori e Notai Francesco Bagnoli, Francesco Prandi ed Eugenio Pieroni, coll'intervento delle infrascritte Autorità e coll'assistenza di tutti i Corpi civili, ecclesiastici e militari a tal uopo invitati, non che alla presenza del Popolo riunito in questo Tempio, si procede

and freely through separate signatures, by its proclamation of the 3d instant, opened suitable registers throughout the Province, in the Communes and Parishes, in order to receive the votes on the annexation of the Province to the Constitutional Kingdom of Piedmont.

While the registers were everywhere being duly filled with signatures, public and solemn demonstrations of the people held in various ways in the Cities and Communes (as clearly attested by several authentic documents existing in our Municipality and which are mentioned in the official report of the General Commission instituted by the aforesaid proclamation, an extract of which will be inserted) revealed the universal desire, and the Italian Standard was hoisted with the Arms of Savoy.

All the registers having been closed, and transmitted to the aforementioned Commission, and transmitted by the latter, together with the report mentioned, to our Commune, the latter immediately decided, by resolution of the 26th instant and subsequent manifesto, that the final result should be authenticated by a public and solemn Act, for permanent record.

Consequently we, Doctors and Notaries Francesco Bagnoli, Francesco Prandi, and Eugenio Pieroni, in conjunction with the undersigned Authorities and with the assistance of all the civil, ecclesiastical, and military bodies invited for the purpose, as well as in the presence of the Peo-

al confronto del rapporto suddetto coi sovraindicati registri, che qui ne vengono presentati dal signor Podestà del Comune di Reggio cavaliere commendatore Luigi Corbelli Ferrari. E siccome da tale confronto emerge, che l'operato della Commissione è regolare e veridico in ogni e singola sua parte, rimane irrefragabilmente constatato quanto segue:

| | |
|---|---|
| Ammontare del numero degli abitanti della Provincia Reggiana come dall' inserto Atto Governati | N. 192,643 |
| Numero degli individui aventi libero voto | N. 36,814 |
| Totale dei voti per l'aggregazione al Regno costituzionale del Piemonte | N. 29,851 |

D'onde evidentemente risulta che, detratto il numero delle persone non ammesse a dar voto, come le donne, i minori, gli assenti, gl'infermi, non minore certamente di tre quarti, il desiderio per l'unione al Regno Costituzionale Subalpino è stato pressochè universale ed unanime.

I Registri delle soscrizioni vengono qui alla presenza del Popolo, per ordine del Comune, riposti e suggellati in una cassa di piombo, che si consegna al signor Natale Romolotti per depositarla e custodirla religiosamente nell'Archivio secreto Municipale.

Questo stato di cose fu prima d'ora rappresentato dal Consesso Comunitativo al Governo Centrale, che facendosi organo dei liberi voleri di questa Provincia, ne ha proclamata la subita

ple assembled in this Temple, proceed to compare the aforesaid report with the above-mentioned registers, which are here presented to us by the Magistrate of the Commune of Reggio, Knight Commander Luigi Corbelli Ferrari. And as it appears from this comparison that the work of the Commission is regularly and truthfully performed in all its parts, the following facts are irrefutably verified:

| | |
|---|---|
| Number of inhabitants of the Province of Reggio, as per Government Act inserted | 192,643 |
| Number of persons having the right to vote | 36,814 |
| Total number of votes in favor of annexation to the Constitutional Kingdom of Piedmont | 29,851 |

Whence it appears obvious that, after subtracting the number of persons not permitted to vote, such as women, minor children, absentees, and sick, which is certainly not less than three-quarters, the desire for union with the Constitutional Subalpine Kingdom was well nigh universal and unanimous.

The registers of the signatures are hereupon, in the presence of the People and by order of the Commune, replaced and sealed in a leaden box, which is delivered to Mr. Natale Romolotti in order to be deposited and religiously preserved in the secret Municipal Archives.

This state of things has been already presented by the Communal Assembly to the Central Government, which, acting as the organ of the free desires of this Province, proclaimed unione al Regno Costituzionale del Piemonte con Atto di ieri.

Le predette cose sono state fatte in triplo originale e pubblicate in Reggio nel Tempio della Beata Vergine della Ghiara coll'intervento delle sottoscritte Autorità, e dei Capi dei Corpi Morali, non che dei Signori Prospero del fu Signor Dottore Gaetano Viani, Luigi del fu signor Avvocato Giambattista Sforza, Molto Reverendo Don Luigi del *quondam* Signor Giuseppe Grasselli; Angelo del fu Signor Avvocato Bartolomeo Manzotti, e Dottor Fisico Antonio del fu signor Filippo Gardini, tutti domicialiti in questa Città, testimoni noti, idonei, ed aventi i requisiti prescritti dalle vigenti leggi.

(*Seguono le firme.*)

the immediate union thereof with the Constitutional Kingdom of Piedmont by Act of yesterday.

The aforesaid documents were done in triplicate and published at Reggio in the Temple of the Blessed Virgin of La Ghiara in the presence of the undersigned Authorities and of the Heads of the Moral Bodies, as well as of Messrs. Prospero, son of the deceased Doctor Gaetano Viani; Luigi, son of the deceased Lawyer Giambattista Sforza; Right Reverend Don Luigi, son of the late Mr. Giuseppe Grasselli; Angelo, son of the deceased Lawyer Bartolomeo Manzotti; and Doctor Fisico Antonio, son of the deceased Mr. Filippo Gardini, all domiciled in this city, witnesses who are known, competent, and filling the requirements prescribed by the laws in force.

(*Signatures follow.*)

### *Vote of the Sardinian Parliament Accepting the Votes of Modena and Reggio and Uniting the Provinces to the Sardinian States. Law of June* 13, 1848 [1]

Visto il risultamento della votazione universale tenutasi negli Stati di Modena i di Reggio proclamato dal Governo centrale provvisorio di Modena, e presentato a S. M. da una speciale deputazione, secondo la quale votazione è general voto di quelle popolazieni di riunirsi al nostro Stato;

Per assicurare a quelle nuove provincie il pronto godimento dei diritti politici;

In view of the results of the universal vote held in the States of Modena and Reggio, proclaimed by the Central Provisional Government of Modena, and presented to His Majesty by a special deputation, according to which vote it is the general will of the said people to unite with our State;

In order to assure to these new Provinces the prompt possession of political rights:

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[1] *Le Assemblee,* vol. 1, p. 496.

ART. 1. Gli Stati di Modena e di Reggio faranno parte integrante dello Stato a cominciare dalla data della presente legge.

ART. 2. Avranno immediato vigore negli Stati medesimi lo Statuto fondamentale del Regno e le leggi nostre sulla Milizia nazionale, sulle Elezioni politiche, e sulla Stampa.

ART. 3. È data facoltà al Governo di provvedere in via d'urgenza con semplici decreti reali ad una provvisoria esecuzione delle operazioni elettorali sulla base dell'analogia colla legge elettorale vigente.

ART. 4. La linea di dogana esistente tra il Ducato di Parma e quelli di Reggio e Modena, come pure quella tra il Ducato di Guastalla ed il Ducato di Reggio e Modena verranno abolite.

ART. 5. La tariffa doganale sarda in un colle variazioni alla medesima fatte fino alla data del presente verrà provvisoriamente posta in vigore nei Ducati di Guastalla, Reggio e Modena.

ARTICLE 1. The States of Modena and of Reggio shall form an integral part of the State, starting from the date of the present law.

ART. 2. The Constitution of the Kingdom and our laws regarding the national militia, political elections and the public press shall have immediate force in the said States.

ART. 3. In cases of urgent necessity the Government is empowered to provide by simple royal decree for a provisional execution of the electoral measures on a basis analogous with the electoral laws at present in force

ART. 4. The customs boundary existing between the Duchy of Parma and the Duchy of Reggio and Modena, as also that between the Duchy of Guastalla, and the Duchy of Reggio and Modena, shall be abolished.

ART. 5. The customs tariff of Sardinia, with the variations of the same enacted up to the present time, shall be provisionally enforced in the Duchies of Guastalla, of Reggio and of Modena.

# THE ITALIAN NATIONAL ASSEMBLIES OF 1859

## TUSCANY

### *Preliminaries of Peace, Signed at Villafranca. July* 11, 1859 [1]

Entre Sa Majesté l'Empereur d'Autriche et Sa Majesté l'Empereur des Français il a été convenu ce qui suit:

Les deux Souverains favorisent la création d'une Confédération Italienne. Cette Confédération sera sous la présidence honoraire du Saint Père.

L'Empereur d'Autriche cède à l'Empereur des Français ses droits sur la Lombardie, à l'exception des forteresses de Mantoue et de Peschiera, de manière que la frontière des possessions Autrichiennes partirait du rayon extrême de la forteresse de Peschiera et s'étendrait en ligne droite de long du Mincio jusqu'à Legrazie, de là à Szarzarola et Lugano au Po, d'où les frontières actuelles continueront à former les limites de l'Autriche.

L'Empereur des Français remettra les territoires cédées au Roi de Sardaigne.

La Vénétie fera partie de la Confédération Italienne, tout en restant sous la Couronne de l'Empereur d'Autriche.

Le Grand Duc de Toscane et le Duc

Between His Majesty, the Emperor of Austria, and His Majesty, the Emperor of the French, the following agreement has been concluded:

The two Sovereigns are in favor of the creation of an Italian Confederation. This Confederation shall be under the honorary presidency of the Pope.

The Emperor of Austria cedes to the Emperor of the French his rights over Lombardy, with the exception of the fortresses of Mantua and Peschiera, in such a way that the frontier of the Austrian possessions shall start from the extreme of the fortress of Peschiera and shall extend in a straight line along the Mincio to Legrazie, from there to Szarzarola and Lugano to Po, from which place the present frontiers shall continue to form the boundaries of Austria.

The Emperor of the French shall deliver the ceded territories to the King of Sardinia.

Venetia shall form a part of the Italian Confederation, while remaining under the Crown of the Emperor of Austria.

The Grand Duke of Tuscany and

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[1] *British and Foreign State Papers*, vol. 49, p. 93.

de Modène rentrent dans leurs Etats en donnant une amnistie générale.

Les deux Empereurs demanderont au Saint Père d'introduire dans ses Etats des réformes indispensables.

Amnistie pleine et entière est accordée de part et d'autre aux personnes compromises à l'occasion des derniers événements dans les territoires des partis belligérants.

*Fait à Villafranca, le* 11 *juillet* 1859.

FRANÇOIS-JOSEPH.

the Duke of Modena shall return to their States, granting a general amnesty.

The two Emperors shall request the Holy Father to introduce indispensable reforms into his States.

A full and complete amnesty is granted by both sides to those persons concerned in the recent events in the territories of the belligerent parties.

*Done at Villafranca, July* 11, 1859.

FRANCIS JOSEPH.

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## *Statement by Lord John Russell of the Attitude of the British Government Regarding the Preliminaries of Villafranca*[1]

### *Lord J. Russell to Earl Cowley.*

*Foreign Office, August* 16, 1859.

MY LORD,

Whatever may be the view which, when the time arrives for a decision, Her Majesty's Government may take of the question of a Congress or of a Conference, there is one point on which they have a most decided opinion. . . .

The Treaty of Villafranca, as I have said, makes no provision for imposing a Government by force upon Tuscany or Modena, supposing the people of those Duchies to oppose the return of the Grand Duke of Tuscany and of the Duke of Modena.

A provision for the employment of French or Austrian forces to put down the clearly expressed will of the people in Central Italy, would, in the opinion of Her Majesty's Government, not be justifiable.

The people of Tuscany, for instance, have the right which belongs to the people of every independent State, to regulate their own internal government. To interfere by force with the exercise of that right would not be defensible on any principle of public law.

Neither the safety nor the paramount interests of Austria are menaced by the choice of a new Dynasty to reign over Tuscany. On the contrary, the restoration of the Grand Duke of Tuscany, or the Duke of Modena, by foreign forces, would be a return to that system of foreign interference which for upwards of forty years has been the misfortune of Italy and the danger of Europe.

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[1] *British Parliamentary Papers,* Affairs of Italy [2609], p. 51.

It may be added, that for the last ten years, the same system has been a cause of weakness and peril to Austria. It has afforded vantage-ground to her enemies, and has alienated her friends.

Great Britain would, therefore, feel it to be her duty to protest against a supplement to the Treaty of Villafranca of that nature, if any such were in contemplation.

She would equally protest against the practical application of foreign force to carry into effect the vague Article of the Preliminaries of Villafranca.

But it may be contended that when this Article was signed, the Emperor of Austria and the Emperor of the French contemplated the return of the Grand Duke of Tuscany and Duke of Modena, with the consent and approbation of the people of Tuscany and Modena. Taken in this sense Her Majesty's Government have no objection to make to the return of the Archdukes.

Count Walewski having stated to your Excellency, as reported in your despatch of the 3rd instant, that although the French Government could not admit the doctrine of non-intervention as a general rule of policy, they were prepared to adopt it in the present instance with regard to Italy; Her Majesty's Government derive confidence in maintaining the views expressed in this despatch, in the reflection that they are in accordance with the sentiments entertained by the Emperor of the French.

I request your Excellency to read this despatch to Count Walewski, and give him a copy of it. I am, &c.

(Signed) J. RUSSELL.

### *Decree of the Tuscan Government Reestablishing the Electoral Law of* 1848 *for the Purpose of Holding a General Election of an Assembly of Representatives Competent to Pass a Legitimate Vote as to the Definitive Fate of Tuscany. July* 15, 1859 [1]

| IL GOVERNO DELLA TOSCANA | THE GOVERNMENT OF TUSCANY |
|---|---|
| Considerando che tra i pareri dati dalla Consulta al Governo avvi pur quello che debbasi attivare la legge eletorale del 3 marzo 1848 procedendo | Considering that, amongst the opinions formerly expressed to the Government by the Council, there is one to the effect that the Electoral |

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[1] *Le Assemblee*, vol. 5, p. 647. Translation from *British Parliamentary Papers*, Affairs of Italy, 1860, vol. 68 [2609], p. 13.

alla formazione immediata delle liste elettorali;

Considerando che tale parere ha per iscopo di provvedere il paese di una Assemblea di rappresentanti, la quale possa emettere un voto legittimo sulla sorte definitiva della Toscana;

Considerando che le dichiarazioni fatte da S. M. l'Imperatore Napoleone III e quelle emesse nel Parlamento inglese dai ministri della Regina, assicurano che si terrà conto dei voti espressi nei modi legittimi dagl'italiani;

Considerando che a questo solo provvedimento non si arresta il Governo, il quale ha invitato e invierà rappresentanti alle Corti di Europa per far valere i bisogni e i diritti della Toscana;

Considerando che tutto ciò resterebbe inutile se non fosse religiosamente conservato l'ordine pubblico, poichè qualunque siasi perturbamento scemerebbe l'importanza del voto da emettersi, e ci toglierebbe l'assistenza, sia per parte del Re Vittorio Emanuele, il quale non mancherà di fare quanto potrà in favor nostro, sia per parte degli altri potentati che non possono voler disgiungere l'assestamento dell'Italia dalla pace europea;

Law of the 9th of May, 1848, ought to be recalled into vigour, with a view to the immediate drawing up of the Electoral Lists;

Considering that the object with which this opinion has been given is that of providing the country with an Assembly of Representatives which may be competent to pass a legitimate vote as to the definitive fate of Tuscany;

Considering that the declarations made by His Majesty the Emperor Napoleon III, as well as those pronounced in the English Parliament by the Ministers of the Queen, give the assurance that due weight will be attached to the desires expressed in a legitimate form by the Italians;

Considering that the Government has not confined itself to the measure in question alone, but has sent, or will send, Representatives to the Courts of Europe, in order to set forth the requirements and advocate the rights of Tuscany;

Considering that even these measures would be without effect unless public order were religiously preserved, as any sort of disturbance would detract from the authoritative character of the vote to be pronounced, and would deprive us, on the one hand, of the support afforded to us by King Victor Emanuel, who will not fail to do his utmost to assist us; and, on the other hand, of that of the other potentates, who can not desire to disconnect the settlement of Italy from the question of the peace of Europe;

DECRETA:

ART. 1. La legge elettorale del 3 maggio 1848 è applicata per la elezione dei rappresentanti della Toscana che devono emettere il voto sopra la sorte futura dello Stato.

ART. 2. I prefetti procederanno immediatamente a ordinare ai gonfalonieri di formare senza ritardo le liste elettorali.

ART. 3. Un successivo decreto stabilirà tutto ciò che riguarda i termini e le norme per una sollecita formazione delle liste elettorali.

ART. 4. Il ministri dell'interno è incaricato della esecuzione del presente decreto.

*Dato li quindici luglio millottocento-cinquantanove*

*Il commissario straordinario*
C. BON-COMPAGNI
*Il ministro dell'interno*
B. RICASOLI
V°. Per l'apposizione del sigillo:
*Il ministro di giustizia e grazia*
(L. S.) E. POGGI

DECREES:

ARTICLE 1. The Electoral Law of the 3rd of May, 1848, is to be applied to the election of the Representatives who are to pronounce, by a vote, upon the future destiny of Tuscany.

ART. 2. The Prefects will at once give orders to the "Gonfalonieri" (Mayors), to draw up the Electoral Lists without delay.

ART. 3. A Decree, to be published hereafter, will regulate everything concerning the conditions and bases on which the Electoral Lists are to be immediately drawn up.

ART. 4. The Minister of the Interior is charged with the execution of the present Decree.

*Given this 15th day of July,* 1859.

*Commissioner Extraordinary,*
C. BON-COMPAGNI.
*Minister of the Interior,*
B. RICASOLI.
Countersigned and Sealed:
*Minister of Justice and Grace,*
(L. S.) E. POGGI.

### *Second Decree of the Tuscan Government Fixing Further Details of the Election. July* 16, 1859 [1]

IL GOVERNO DELLA TOSCANA —

Visto il Decreto del 15 Luglio corrente che ordina l'attivazione delle Legge del 3 Marzo, 1848: [2]

THE GOVERNMENT OF TUSCANY —

In view of the Decree of the 15th of July instant, which orders that the Law of the 3rd of March, 1848, shall be recalled into activity;

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[1] *British Parliamentary Papers,* Affairs of Italy [2609], pp. 5 and 33.

[2] The electoral law of March 3, 1848, had based the electoral qualifications on property

Considerando che l'urgenza di convocare l'Assemblea dei Rappresentanti obblighi ad abbreviare i termini assegnati dalla Legge del 3 Marzo, 1848, per la formazione delle Liste Elettorali, ed a fare alcune variazioni e disposizioni volute dalle specialità del presente stato delle cose; —

Decreta:

Articolo 1. S'intende attivato, con la Legge del 3 Marzo, 1848, anco il Decreto del 26 Aprile dell'anno stesso.

Art. 2. Il Gonfaloniere che presiede il Collegio Elettorale ai termini dell'Articolo 53 della precitata Legge del 3 Marzo, esercita il diritto di Elettore nel Collegio stesso.

Art. 3. Entro otto giorni dal presente Decreto, i Gonfalonieri avranno formato le Liste Elettorali nei modi prescritti dell'Articolo 14 all'Articolo 20 della Legge predetta.

Art. 4. Il possessore di beni stabili che potrà esercitare il diritto elettorale in un luogo diversa da quello della sua dimora, dovrà rimettere una dichiarazione in scritto alla Cancelleria della Comunità ove intende dare il suo voto, ed un'altra simile alla

Considering that the necessity of immediately convoking the Assembly of Representatives renders it indispensable that the term fixed by the Law of the 3rd of March, 1848, for the making out of the Electoral Lists should be curtailed, and that some changes and provisions required by the present peculiar state of affairs should be made;

Decrees:

Article 1. It is to be understood that with the Law of the 3rd of March, 1848, the Decree of the 26th of April of the same year is likewise recalled into activity.

Art. 2. The "Gonfaloniere" who, according to the provisions of Article 53 of the above-named Law of the 3rd of March, presides over the Electoral College, will also exercise the rights of an elector in that College.

Art. 3. Within eight days from (the date of) the present Decree the "Gonfalonieri" will prepare the Electoral Lists in the manner prescribed by Articles 14 to 20 of the above-mentioned Law.

Art. 4. The proprietor of real estate, who exercises his rights as a voter in a different locality from that in which he resides, must within six days from the publication of this Decree, address a declaration in writing to the Chancery of the Commune in

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or education. An income of over 300 lira, later cut in half, or status as a professor, magistrate, priest, attorney, notary, doctor, surgeon, military official, wholesale merchant or manufacturer, or public functionary of rank (excepting police officials), was necessary. The deputies were eligible from the same classes. Zobi, *Storia Civile della Toscana,* vol. 5, p. 752 and note.

Cancelleria della Comunità ove ha la sua dimora, entro sei giorni dal dì della pubblicazione del presente Decreto; resta fermo in ogni rimanente il disposto del Articolo 12 del Legge Elettorale.

ART. 5. Le Liste appena compilate saranno trasmesse al Prefetto del Compartimento, o al Sotto-Prefetto del rispettivo Circondario, nel termine di due giorni, con le osservazioni dei respettivi Gonfalonieri.

ART. 6. Entro quattro giorni i Preffeti e Sotto-Prefetti procederanno alla generale revisione delle Liste a loro trasmesse ai termini del Articolo 21 della detta Legge.

ART. 7. I Prefetti e Sotto-Prefetti, compita tale revisione in detto termine, manderanno immediatamente le Liste purificate e corrette ai Gonfalonieri perchè esse siano affisse alia porta degli Uffizi Comunitativi, a norma e per gli effetti voluti dagli Articoli 23 e 24 della Legge Elettorale.

ART. 8. Entro tre giorni dall'affissione delle Liste avrà diritto a ricorrere al Consiglio di Prefettura e di Sotto-Prefettura chiunque ne fosse stato escluso indebitamente, o inscritto inesattamente; e il Consiglio di Prefettura e di Sotto-Prefettura deciderà nel termine di tre giorni dalla presentazione del ricorso.

A quest' effetto speciale sarà formato in ogni Circondario di Sotto-Prefettura un Consiglio composto del

which he intends to vote, and a similar declaration to the Chancery of the Commune in which he has his residence. In every other respect, the provisions of Article 12 of the Electoral Law remain unaltered.

ART. 5. When the lists are made out, they are to be transmitted within two days to the Prefect of the Department or to the Sub-Prefect of the district, accompanied by the observations of the respective "Gonfalonieri."

ART. 6. Within four days the Prefects and Sub-Prefects will make a general revision of the lists which will have been sent to them, in conformity with the provisions of Article 21 of the said Law.

ART. 7. This revision being completed within the period fixed, the Prefects and Sub-Prefects will immediately send back the amended and corrected lists to the "Gonfalonieri," in order that they may be posted on the door of the Communal Office, in accordance with and for the objects intended by Articles 23 and 24 of the Electoral Law.

ART. 8. Within three days from the posting up of the lists, any person whose name may have been improperly excluded or inserted incorrectly, shall have the right of appealing to the Council of the Prefecture or Sub-Prefecture; and the said Council of Prefecture or Sub-Prefecture shall pronounce a decision within three days from the presentation of the appeal. For this special purpose there shall be created in each Sub-Prefect's

Sotto-Prefetto, del Pretore, e del Delegato del luogo di residenza del Sotto-Prefetto.

Art. 9. Le decisioni dei Consigli di Prefettura o di Sotto-Prefettura saranno immediatamente affisse alla porta delle Prefettura o Sotto-Prefettura; e tale affissione terrà luogo dì notificazione.

Art. 10. I Giudizj del Consiglio di Prefettura e di Sotto-Prefettura sono appellabili ai Tribunali di Prima Istanza del luogo ove risiendono i detti Consigli.

Art. 11. l'appello dovrà esser fatto dentro due giorni accompagnato dai documenti giustificativi e dovrà essere notificato dentro tre giorni tanto al Prefetto, o Sotto-Prefetto, quanto alla parte interessata.

Art. 12. La sentenza del Tribunale di Prima Istanza terrà luogo di biglietto personale per essere ammesso alla votazione, secondo l'Articolo 47 della precitata Legge.

Art. 13. Due giorni dopo la spirazione del termine a pronunziare sui ricorsi il Prefetto e Sotto-Prefetto invieranno ai respettivi Gonfalonieri la nota dei nomi da aggiungersi o correggersi nelle Liste Elettorali: dei quali nomi il Gonfaloniere formerà e affiggerà dentro due giorni una Lista supplementaria.

District, a Council composed of the Sub-Prefect, the " Pretore," and the Police Delegate of the town in which the Sub-Prefect resides.

Art. 9. The decisions of the Council of Prefecture or Sub-Prefecture shall be immediately posted against the door of the Prefect's or Sub-Prefect's office; and this mode of publication shall take the place of a personal notification.

Art. 10. The decisions of the Councils of Prefecture or Sub-Prefecture may be appealed against before the Tribunal of First Instance of the place where the said Councils are established.

Art. 11. The appeal must be made within two days, and be accompanied by documentary proof; and notification of the appeal must be made within three days to the Prefect as well as to the Sub-Prefect, and to the party concerned.

Art. 12. The decision of the Tribunal of First Instance shall be accepted, in place of the personal ticket, as proof of a right to vote, in conformity with the provisions of Article 47 of the above-mentioned Law.

Art. 13. Two days after the expiration of the term within which the appeals are to be decided, the Prefect or Sub-Prefect will send to the " Gonfaloniere " a note of the names which are to be added or corrected in the Electoral Lists. A supplementary list comprising these names will be made out by the " Gonfaloniere," and posted up within two days.

Art. 14. Gli Articoli della Elettorale sono abrogati nelle parti in cui siano contrarj al presente Decreto.

Art. 15. I Ministri dell'Interno e della Giustizia e Grazia sono incaricati della esecuzione del presente Decreto.

*Dato in Firenze, il* 16 *Luglio,* 1859.

*Il Commissario Straordinario*
(Firmato) C. Bon-Compagni
*Il Ministro dell'Interno*
(Firmato) B. Ricasoli.
Visto per l'apposizione del sigillo.
*Il Ministro di Giustizia e Grazia,*
(L. S.) E. Poggi.

Art. 14. That portion of the different Articles of the Electoral Law which may be in contradiction with the present Decree is hereby abrogated.

Art. 15. The Ministers of the Interior, and of Justice and Grace, are charged with the execution of the present Decree.

*Given at Florence, the* 16*th of July,* 1859.

*Commissioner Extraordinary,*
(Signed) C. Bon-Compagni.
*Minister of the Interior,*
(Countersigned) B. Ricasoli.
Countersigned and Sealed:
*Minister of Justice and Grace,*
(L. S.) E. Poggi.

## *Dispatches of Lord John Russell to the British Minister at Florence Concerning the Tuscan Assembly* [1]

### *Lord J. Russell to Mr. Corbett*

*Foreign Office, July* 19, 1859.

Sir,

With reference to your first despatch of the 12th of July, I have to state to you that it is much to be desired that a Representative Assembly should be convoked in Tuscany, in order that the wishes of the people in favour of the autonomy of that country may be regularly and freely expressed.

I am, &c.

(Signed) J. Russell.

*Foreign Office, July* 28, 1859.

(*Extract*)

I have to instruct you to take an opportunity of observing, though not officially, to the Minister for Foreign Affairs of the Provisional Government, that attempts to repress a free declaration of opinion on a matter of such vital interest as the future government of the country are unjust and illiberal.

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[1] *British Parliamentary Papers,* Affairs of Italy [2609], pp. 5 and 33.

### *Convocation of the Electoral Constituencies. July* 29, 1859[1]

## IL GOVERNO DELLA TOSCANA

DECRETA:

I collegi elettorali sono convocati per la mattina del dì 7 agosto prossimo per la elezione dei rappresentanti della Toscana.

Il ministro dell'interno è incaricato della esecuzione del presente decreto.

*Dato in ventinove luglio mille ottocento cinquantanove.*

Bon-Compagni. B. Ricasoli.

## THE GOVERNMENT OF TUSCANY

DECREES:

That the electoral constituencies shall be convoked for the morning of the 7th of August next, for the election of representatives of Tuscany.

The Minister of the Interior is charged with the execution of the present decree.

*Done on the 29th day of July,* 1859.

Bon-Compagni, B. Ricasoli.

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### *The Royal Commissioner Resigns His Functions to the Council of Ministers. August* 1, 1859[2]

## IL REGIO COMMISSARIO STRAORDINARIO IN TOSCANA

Considerando che l'ordinamento politico attuale della Toscana si fonda sulla volontà popolare e sulla necessità politica;

Che il Re Vittorio Emanuele, protettore della Toscana durante la guerra, sarebbe stato in diritto di conservare questa qualità finchè la pace non fosse definitivamente stabilita, con che avrebbe aderito alle richieste della Consulta di Stato;

Che gravi considerazioni di convenienza politica avendolo impedito di aderire a queste richieste diveniva

## THE ROYAL COMMISSIONER EXTRAORDINARY IN TUSCANY

Whereas the present political organization of Tuscany is based on the will of the people and on political exigency;

Whereas King Victor Emanuel, protector of Tuscany during the war, would have been entitled to retain this title until peace had been definitively concluded, to which he had consented at the request of the Council of State;

Whereas grave considerations of political expediency having prevented adherence to this request, it became necessario che Egli provvedesse in modo che al cessare del protettorato la Toscana non rimanesse senza Governo;

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[1] *Le Assemblee,* vol. 5, p. 650.

[2] *Ibid.,* p. 652.

Che perciò con lettera del 21 luglio, di cui fu trasmessa copia autentica alla Consulta di Stato, il Re Vittorio Emanuele per mezzo del suo ministro degli affari esteri prescriveva al suo Commissario quanto segue: "Ella rassegnerà la Cosa Pubblica in mano di una o più persone aventi la fiducia pubblica; cosicchè cessando la protezione del Governo di S. M., le sorti del Paese rimangano affidate ai naturali suoi difensori";

Che a cospetto di questa condizione di cose e del comando del Re, il Commissario non può a meno di dichiarare a chi debba passare il Governo dello Stato nell'atto in cui cessano i suoi poteri;

Che per rendere la mutazione meno sensibile, è opportuno che il Governo risieda nel Consiglio dei ministri, che ha coadiuvato finora il Regio Commissario col consiglio e colla cooperazione;

DECRETA:

ART. 1. I poteri del Regio Commissario passano nel Consiglio dei ministri, il quale li esercita a nome del popolo toscano.

ART. 2. Il Presidente del Consiglio dei ministri appone la propria firma nei decreti ed atti del Governo. Nei decreti che concernono al suo di-

necessary for him to take steps so that Tuscany might not remain without government upon relinquishment of the protectorate;

Whereas, therefore, by letter of July 21, of which an authentic duplicate was transmitted to the Council of State, King Victor Emanuel through his Minister of Foreign Affairs prescribed the following to his Commissioner: "You shall hand over your powers into the hands of one or more persons enjoying public confidence, so that with the protection of the Government of His Majesty coming to an end, the fate of the country will remain intrusted to its natural defenders";

Whereas in view of this state of affairs and of the order of the King, the Commissioner can not do less than declare to whom the Government of the State must pass upon his resigning his powers;

Whereas in order to make the change more effective, it is expedient that the Government should rest in the Council of Ministers, who have hitherto given aid and counsel to the Royal Commissioner;

DECREES:

ARTICLE 1. The powers of the Royal Commissioner are hereby assigned to the Council of Ministers, who shall exercise them on behalf of the Tuscan people.

ART. 2. The President of the Council of Ministers shall affix his own signature to the decrees and acts of the Government. The counter partimento apporrà la controfirma un altro ministro.

Art. 3. La Consulta di Stato conserva tutte le attribuzioni.

Art. 4. La segretaria generale del Commissariato prende la denominazione di segretaria generale del Governo, e passa sotto gli ordini del presidente del Consiglio.

*Dato in Firenze il primo agosto milleottocentocinquantanove.*

*Il Commissario straordinario*
C. Bon-Compagni.
*Il segretario generale*
Celestino Bianchi.

signature of another Minister shall appear on the decrees which concern his department.

Art. 3. The functions of the Council of State remain unchanged.

Art. 4. The office of Secretary General to the Commissioner takes the name of office of the Secretary General of the Government and becomes subject to the orders of the President of the Council.

*Done at Florence, the first of August, eighteen hundred and fifty-nine,*

*The Commissioner Extraordinary,*
C. Bon-Compagni.
*The General Secretary,*
Celestino Bianchi.

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## *Ricasoli Is Appointed President of the Council. August* 1, 1859

### IL REGIO COMMISSARIO STRAORDINARIO IN TOSCANA

Visto il decreto di questo medisimo giorno col quale i poteri del Regio Commissario si trasmettono al Consiglio dei ministri,

DECRETA:

Il Barone Bettino Ricasoli, ministro dell'interno, è nominato presidente del Consiglio dei ministri ritenendo però il portafoglio dell'interno.

*Dato in Firenze questo dì primo agosto milleottocentocinquantanove*

*Il Commissario Straordinario*
C. Bon-Compagni.
*Il segretario generale*
Celestino Bianchi.

### THE ROYAL COMMISSIONER EXTRAORDINARY IN TUSCANY

In view of the decree of this same day with which the powers of the Royal Commissioner are transmitted to the Council of Ministers,

DECREES:

That Baron Bettino Ricasoli, Minister of Internal Affairs, is appointed President of the Council of Ministers, retaining, nevertheless, the portfolio of the Interior.

*Florence, this first day of August,* 1859.

*Commissioner Extraordinary,*
C. Bon-Compagni.
*General Secretary,*
Celestino Bianchi.

## *Decree Fixing Conditions of Eligibility of Deputies. August 2,* 1859[1]

### IL GOVERNO DI TOSCANA

Visto l'articolo 84 della legge elettorale dei 3 marzo 1848;

DECRETA:

ART. 1. Il presidente di ogni collegio ellectorale avvertirà gli elettori;

1° che essi devono eleggere due rappresentanti per l'unico effetto di esprimere i voti legittimi della popolazione toscana intorno alle sue sorti definitive;

2° che essi li possono eleggere tra tutti quelli che hanno titolo ad essere elettori dei diversi Collegi del Distretto elettorale;

3° che essi li devono eleggere tra gli elettori che hanno l'età di 30 anni compiuti.

ART. 2. Un esemplare del presente Decreto rimarrà affisso nel locale delle adunanze elettorali per tutto il tempo delle elezioni.

ART. 3. Il ministro dell'interno è incaricato dell'esecuzione del presente decreto.

*Dato il 2 agosto* 1859.

*Il presidente del Consiglio dei ministri e Ministro dell'interno*

B. RICASOLI.

*Il ministro della pubblica istruzione*

C. RIDOLFI.

### THE GOVERNMENT OF TUSCANY

In view of Article 84 of the electoral law of March 3, 1848;

DECREES:

ARTICLE 1. The president of every electoral constituency shall notify the voters:

1. That they must select two representatives for the sole purpose of expressing the legitimate wishes of the Tuscan people as regards their final condition;

2. That they may select them from among all those who are entitled to vote in the several constituencies of the electoral district;

3. That they must select them from among voters who have reached the age of thirty.

ART. 2. A copy of this decree shall remain posted at the voting places throughout the duration of the elections.

ART. 3. The Minister of the Interior is charged with the execution of this decree.

*Dated, August* 2, 1859.

*The President of the Council of Ministers and Minister of the Interior,*

B. RICASOLI.

*The Minister of Public Instruction,*

C. RIDOLFI.

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[1] *Le Assemblee,* vol. 5, p. 653.

## *Proclamation of the Ministry Concerning the Approaching Elections. August* 4, 1859[1]

TOSCANI!

Le imminenti elezioni chiamano i toscani all'esercizio della più alta prerogativa che abbia un cittadino in paese libero; lo statuire sui destini della patria. Il Governo ebbe conforti autorevoli per aprire alla Toscana questa via di salute; e se l'Europa non vuol macchiare la pace con opere di violenza, e perpetuare in Italia le cause delle rivoluzioni, possiamo augurarci che sarà dato ascolto ai nostri voti.

. . . . .

Alle accuse maligne di anarchia e di violenza di parti, rispondano dunque i toscani con una elezione ordinata e tranquilla, e con un fermo e concorde volere: e sarà questa una vittoria civile, la quale avrà merito al pari di quelle riportate sui campi di battaglia. Non siano indarno gli esempi dei nostri maggiori, che seppero col senno, colla parola, col sangue fortissimamente propugnare la indipendenza e la libertà della patria. Il Governo riposa sicuro sul senno dei toscani; e confida che le prossime elezioni porgeranno a Napoleone Imperatore un valido argomento per adempiere i suoi benevoli intendimenti verso l'Italia.

L'Europa desidera la pace; ma pace non avrà l'Europa se i leggittimi voti ordinatamente espressi dagl'italiani non saranno rispettati, nè vorrà l'Eu-

TUSCANS!

The impending elections call Tuscans to exercise the highest prerogative that belongs to a citizen in a free country: that of deciding the future of the motherland. The Government had due justification in opening to Tuscany this way to salvation; and if Europe does not want to sully peace with acts of violence and to perpetuate in Italy the cause of revolutions, we may augur that our votes will be heeded.

. . . . .

To malicious accusations of anarchy and violence of parties, the Tuscans will therefore reply by an orderly and peaceful election and by a firm and unanimous will, and that election will be a civil victory that will equal in merit those won on the battlefield. Let the examples of our betters, who have known how to defend with energy the independence and freedom of the motherland with their knowledge, speech, and blood, not be in vain. The Government has faith in the judgment of the Tuscans and is confident that the forthcoming elections will offer to the Emperor Napoleon a valid argument to fulfill his benevolent intentions toward Italy.

Europe desires peace; but Europe will not have peace if the legitimate wishes regularly expressed by the Italians are not respected, nor will ropa che questa sua elettissima parte, anzichè strumento possente della felicità universale, sia minaccia continua e perpetuo pericolo.

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[1] *Le Assemblee,* vol. 5, p. 655

*Firenze, li* 4 *agosto* 1859.

*Il presidente del Consiglio dei ministri ministro dell'interno*
B. Ricasoli.

*Il ministro della pubblica instruzione ministro interino degli affari esteri*
C. Ridolfi.

*Il ministro di giustizia e grazia*
E. Poggi.

*Il ministro delle finanze, del commercio e dei lavori pubblici*
R. Busacca.

*Il ministro degli affari ecclesiastici*
V. Salvagnoli.

*Il ministro reggente della guerra*
P. A. De Cavero.

*Il segretario generale del governo della Toscana*
Celestino Bianchi.

Europe wish that this most valuable portion of it, instead of being a powerful instrument of universal happiness, should be a continual menace and a perpetual danger.

*Florence, August* 4, 1859.

*The President of the Council of Ministers, Minister of the Interior,*
B. Ricasoli.

*The Minister of Public Instruction, Minister of Foreign Affairs ad interim,*
C. Ridolfi.

*The Minister of Justice and Grace,*
E. Poggi.

*The Minister of Finance, Commerce and Public Works,*
R. Busacca.

*The Minister of Ecclesiastical Affairs,*
V. Salvagnoli.

*The Acting Minister of War,*
P. A. De Cavero.

*The Secretary General of the Tuscan Government,*
Celestino Bianchi.

### *Decree of Convocation of the Assembly. August* 7, 1859 [1]

## IL GOVERNO DELLA TOSCANA

DECRETA:

Art. 1. L'Assemblea dei rappresentanti è convocata in Firenze per il giorno undici del corrente mese.

Art. 2. Questa Assemblea ha per oggetto di esprimere i voti leggitimi

## THE GOVERNMENT OF TUSCANY

DECREES:

Article 1. The Assembly of Representatives shall meet in Florence on the 11th day of the current month.

Art. 2. The purpose of this Assembly is to express the legitimate

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[1] *Le Assemblee*, vol. 5, p. 656.

della popolazione toscana intorno alle sue sorti definitive.

Art. 3. Il ministro dell'interno è incaricato della esecuzione del presente decreto.

*Dato in Firenze li sette agosto milleottocentocinquantanove.*

*Il presidente del consiglio dei ministri e ministro dell'interno*

B. Ricasoli.

*Il ministro della pubblica istruzione*

C. Ridolfi.

wishes of the Tuscan people as regards their final destiny.

Art. 3. The Minister of the Interior is charged with the execution of this decree.

*Done at Florence, August seventh, eighteen hundred and fifty-nine.*

*The President of the Council of Ministers and Minister of the Interior,*

B. Ricasoli.

*The Minister of Public Instruction,*

C. Ridolfi.

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## *Dispatch from Lord John Russell to the British Minister at Turin*[1]

### *Lord J. Russell to Sir J. Hudson*

*Foreign Office, August* 10, 1859.

Sir,

I have to instruct you to acquaint General Dabormida that Her Majesty's Government have learned with satisfaction, from the report contained in your despatch of the 4th instant, that it was the intention of Sardinia, in recalling her Commissioner from Florence, to leave Tuscany wholly unfettered as to her future political condition and choice; . . .

I am, &c.

(Signed) J. Russell.

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## *Dispatch from the British Minister at Florence to Lord John Russell Commenting on the Election*[2]

### *Mr. Corbett to Lord J. Russell*

*Florence, August* 10, 1859.

My Lord,

The elections of members to sit in the Tuscan Assembly have been carried on throughout the country with the greatest order and regularity.

A very large majority of those entitled to vote have taken part in the election, probably as many as three-fourths of the whole body, in spite of the efforts of the priests, especially in the country districts, to persuade them to abstain from voting. In Florence, out of 5,700 electors, 3,200 voted; and in the districts immediately adjacent to the capital, out of 1,000 voters, 890 voted. Of the priests in Florence, of whom there are about 1,200, the greater part of whom are entitled to votes, only 15 went to the poll, which may be accounted for by the discountenance shown by the Archbishop of Florence to the elections. Four priests, however, have been elected in other districts.

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[1] *British Parliamentary Papers,* Affairs of Italy [2609], p. 44.

[2] *Ibid.,* p. 54.

In the list of members returned are to be found the names of most of those most eminent in Tuscany by birth, and of those who have distinguished themselves in literary, scientific, and industrial pursuits.

As a proof of the desire shown in some quarters to choose men of moderate views and opinions, I may mention that Signor Guerrazzi has been rejected by three Electoral Colleges to which he presented himself for election, as holding opinions of too extreme a tendency, and he has not been elected at all.

The Government are well satisfied with the result of the elections, and declare that the wishes which may be expressed by such a body of men, regularly elected, must carry great weight abroad, and that it will be impossible to reproach it with not being the true expression of the opinions and sentiments of the whole of Tuscany.

I have, &c.

(Signed) Edwin Corbett.

## *Vote of the National Assembly of Tuscany Dethroning the House of Austro-Lorraine. August* 16, 1859 [1]

Considerando che gli avvenimenti di più anni, e i fatti maturati in questi ultimi mesi hanno dimostrato ad evidenza quanto sia fortemente ed evidentemente radicato nei toscani il sentimento della nazionalità italiana, ed il proposito di costituirla, e di assicurarla;

Considerando che questi sentimenti e questi propositi dimostrati per tanti modi e particolarmente coll'accorrere dei volontari alla guerra dell'indipendenza, si sono manifestati

Considering that the events which have been prepared for several years, and matured for many months, have plainly demonstrated how deeply-rooted is the sentiment and love of Italian nationality, and the intention of establishing and maintaining it in the Tuscan people;

Considering that these sentiments and intentions have been manifested with extraordinary concurrence and admirable unanimity in the election of deputies for the Assembly, wher-

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[1] From the minutes of the Assembly. *Le Assemblee*, vol. 5, p. 686. This vote was by secret ballot and unanimous. Translation from *British Parliamentary Papers*, Affairs of Italy, 1860, vol. 68 [2609], p. 60.

con straordinario concorso e con mirabile unanimità anche nella elezione dei deputati all'Assemblea, chiamati dovunque in conformità di questo principio;

Considerando che tuttociò è stato fatto, e si mantiene senza la minima turbazione dell'ordine pubblico, e che la ferma volontà di conservarlo è nell'animo di tutti;

Considerando che la Casa austrolorenese imposta già dalla forza, benchè poi stata un tempo benemerita per le riforme operate da alcuno dei suoi principi, abbia volontariamente spezzati i vincoli che la legavano alla Toscana e dopo la restaurazione del 12 aprile 1849 sottoposto il paese all'onta e al danno della occupazione straniera, abbia con suoi atti e colle sue dichiarazioni indotto negli animi la certezza, che dove anche professasse ella di ristabilire lo Statuto fondamentale che abolì e di accettare la bandiera tricolore italiana che apertamente osteggiò, ella non potendo mai legare le sue sorti alla causa nazionale non può nemmeno procurarsi la fiducia dei toscani, nè ottenere quella morale autorità che è fondamento necessario di ogni Governo.

## L'ASSEMBLEA

Dichiara che la Dinastia austrolorenese, la quale nel 27 aprile 1859 abbandonava la Toscana senza ivi lasciare forma di Governo, e riparava nel campo nemico, si è resa assolutamente incompatibile con l'ordine e la

ever named in conformity with this principle;

Considering that all this has been done and is maintained without the slightest disturbance of public order, and that the predominant idea, even in the lowest classes of society, is that of maintaining it;

Considering that the Austrian House of Lorraine, which was formerly held in estimation in Tuscany, has voluntarily broken the bond which united it to this country, and has, since the restoration of April 12, 1849, by its acts and declarations, induced the persuasion in men's minds that, even should it profess to reestablish the Constitution which it abolished, and to accept the Italian tricolor flag, which it has hitherto openly repelled, it could neither, from its inability to unite its destinies to the national cause, procure the confidence of the Tuscans, nor obtain that moral authority which is the necessary foundation of every Government;

## THE ASSEMBLY

Declares that the Dynasty of Lorraine, which on the 27th of April, 1859, voluntarily abandoned Tuscany, without leaving any form of government in the country, and repaired to the enemy's camp, has

felicità della Toscana.— Dichiara che non vi è modo alcuno per cui tale Dinastia possa ristabilirsi e conservarsi senza oltraggio alla dignità del Paese, senza offesa ai sentimenti delle popolazioni, senza costante e inevitabile pericolo di vedere turbata incessantemente la pace pubblica, e senza danno d'Italia.— Dichiara conseguentemente non potersi nè richiamare, nè ricevere la Dinastia austro-lorenese a regnare di nuovo sulla Toscana.

thereby rendered itself totally incompatible with the order and happiness of Tuscany; declares further, that it knows no mode whereby such Dynasty can be reestablished and maintained without offence to the sentiments of the people, without constant and inevitable danger of seeing the public peace continually disturbed, and without injury to Italy. The Assembly, therefore, finally declares that it can neither recall nor receive the Dynasty of Lorraine to reign again in Tuscany.

## *Vote of the National Assembly of Tuscany for Union with the Constitutional Kingdom of Victor Emanuel. August* 20, 1859[1]

Coerentemente alle considerazioni e dichiarazioni espressi nella risoluzione dell'Assemblea del dì 16 agosto corrente, intorno alla dinastia austro-lorenese, dovendo l'Assemblea medesima provvedere alle sorti future del paese secondo i bisogni della nazionalità italiana, dichiara esser fermo voto della Toscana di far parte di un forte Regno costituzionale sotto lo scettro del Re Vittorio Emanuele.

Confida che il prode e leale Re, il quale tanto operò per l'Italia, e protesse con particolare benevolenza il nostro paese, accoglierà questo voto.

Raccomanda la causa della Toscana alla generosa protezione e all'alto

In accordance with the considerations and declarations expressed in the resolution of the Assembly of the 16th August instant, with respect to the Austrian Dynasty of Lorraine, the Assembly, having to provide for the future destiny of the country according to the necessities of Italian nationality, declares that it is the firm desire of the Tuscans to form part of a strong constitutional Kingdom, under the sceptre of King Victor Emanuel.

It trusts that the faithful and loyal King who has done so much for Italy and protected our country with peculiar favor, will favorably receive this desire.

It recommends the cause of Tuscany to the generous protection and senno dell'imperatore Napoleone III, magnanimo defensore dell'italiana indipendenza.

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[1] *Le Assemblee,* vol. 5, p. 698. This vote was by secret ballot, and unanimous, with two abstentions. Translation from *British Parliamentary Papers,* Affairs of Italy, 1860, vol. 68 [2609], p. 84.

Ripone speranza nella manifesta simpatia dell'Inghilterra, e nella sapiente giustizia della Russia e della Prussia.

Commette al Governo di procurare l'adempimento di questo voto nei negoziati che avranno luogo per l'ordinamento delle cose italiane, e di referire a suo tempo all'Assemblea.

high wisdom of the Emperor Napoleon III, the magnanimous defender of Italian independence.

It reposes confidence in the declared sympathy of England, and in the wise justice of Russia and Prussia.

It leaves it to the Government to procure the fulfillment of this desire in the negotiations which will take place for the settlement of the affairs of Italy, and to refer it in due time to the Assembly.

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## *Address of the Delegates of the Tuscan Assembly to the King of Sardinia, Presenting the Vote for Union. September* 3, 1859 [1]

*Oggi,* 3 *settembre a ore* 4 *pom. S. M. il Re Vittorio Emanuele II, circondato dal Ministro e dagli Ufficiali della R. Casa, ha ricevuto ufficialmente a Torino i delegati dell'Assemblea Toscana, i quali gli hanno presentato il seguente indirizzo, con che il Governo Toscano accompagnava i voti dell'Assemblea:*

### ALLA MAESTÀ DI VITTORIO EMANUELE II

RE DI SARDEGNA

*Maestà!*

Un voto unanime dell'Assemblea nazionale, interprete fidele dei sentimenti di tutto un popolo, ha solennemente dichiarato esser volontà della Toscana di far parte di un Regno

*To-day, at* 4 *o'clock* P. M., *His Majesty King Victor Emanuel II, surrounded by the Ministry and Officers of the Royal Household, officially received at Turin the Delegates of the Tuscan Assembly, who presented to him the following Address, with which the Tuscan Government accompanied the votes of the Assembly:*

### TO HIS MAJESTY VICTOR EMANUEL,

KING OF SARDINIA

*Your Majesty,*

A unanimous vote of the National Assembly, the faithful interpreter of the sentiments of a whole people, has solemnly declared it to be the will of Tuscany to form part of an Italian

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[1] *Le Assemblee,* vol. 5, p. 710. Translation from *British Parliamentary Papers,* Affairs of Italy, 1860, vol. 68 [2609], p. 100.

Italiano sotto lo scettro costituzionale della Maestà Vostra.

Il Governo della Toscana, cui è stato commesso d'implorare dalla benevolenza di V. M. la favorevole accoglienza di questo voto, ha accettato l'altissimo ufficio con quella gioia che dà l'adempimento di un gran dovere, quand'esso è in pari tempo la soddisfazione di un lungo e ardentissimo desiderio.

Maestà! Se questo omaggio di fiducia e di devozione del popolo toscano non avesse altro scopo, nè dovesse avere altro effetto che quello di procurare alla M. V. un ingrandimento di Stato, noi potremmo dubitare del successo delle nostre preghiere; ma poichè il voto dell'Assemblea toscana è ispirato dall'amore dell'italiana nazionalità, ed ha in mira la grandezza e la prosperità della patria comune, ci conforta la speranza che il pensiero d'Italia prevarrà nel generoso animo Vostro sopra ogni altro pensiero, e che la M. V. si degnerà far lieta la Toscana della Sua Augusta adesione ai voti che con tanta effusione di riconoscenza e di fede i leggittimi rappresentanti di Lei hanno espresso al cospetto del mondo.

*Firenze,* 31 *agosto* 1859.

RICASOLI — RIDOLFI — POGGI — SALVAGNOLI — BUSACCA — DE CAVERO — C. BIANCHI, *segretario.*

Kingdom under the Constitutional sceptre of your Majesty.

The Government of Tuscany, which has been charged with the office of imploring from the benevolence of your Majesty the favourable reception of this wish, has accepted the high office with that joy which accompanies the discharge of a great duty, when it at the same time satisfies a long-felt and most ardent desire.

Sire! if this homage of fidelity and devotion of the Tuscan people had no object, and would have no other effect, than that of procuring for your Majesty an extension of territory, we might well doubt of the success of our petition; but since the vote of the Tuscan Assembly is inspired by the love of Italian nationality, and has in view the greatness and prosperity of the common country, we feel comforted by the hope that the thought of Italy will prevail in your generous mind above every other consideration, and that your majesty will deign to render Tuscany happy by your august acceptance of the votes which her legitimate Representatives have expressed in the sight of the world with so great an effusion of gratitude and fidelity.

*Florence, August* 31, 1859.

RICASOLI, RIDOLFI, POGGI, SALVAGNOLI, BUSACCA, DE CAVERO, CELESTINO BIANCHI, *Secretary-General of the Government of Tuscany.*

### *Reply of the King*

Io sono profondamente grato al voto dell'Assemblea della Toscana, di cui voi siete gl'interpreti verso di me. Ve ne ringrazio e meco ve ne ringraziano miei popoli. Accolgo questo voto come una manifestazione solenne della volontà del popolo toscano che, nel far cessare in quella terra, già madre della civiltà moderna, gli ultimi vestigi della signoria straniera, desidera di contribuire alla costituzione di un forte reame che ponga l'Italia in grado di bastare alla difesa della propria indipendenza.

L'Assemblea toscana ha però compreso, e con essa comprenderà l'Italia tutta, che l'adempimento di questo voto non potrà effettuarsi che col mezzo dei negoziati che avranno luogo per l'ordinamento delle cose italiane.

Secondando il vostro desiderio avvalorato dai diritti che mi sono conferiti dal vostro voto, propugnerò la causa della Toscana innanzi a quelle potenze in cui l'Assemblea con grande senno ripose le sue speranze, e sopratutto presso il generoso Imperatore dei francesi che tanto operò par la Nazione italiana.

L'Europa non ricuserà, io spero, di esercitare verso la Toscana quell'opera riparatrice che in circostanze meno favorevoli già esercitò in prò della Grecia, del Belgio e dei Principati Moldo-Valacchi.

Mirabile esempio di temperanza e

I am profoundly grateful for the vote of the Assembly of Tuscany, of which you are the interpreters to me. I thank you, and my people equally with me, thank you for it. I accept this vote as a solemn manifestation of the will of the Tuscan people, who, in putting an end to the last remnants of foreign rule in that land which is already the mother of modern civilization, are desirous of contributing to the constitution of a strong kingdom which may place Italy in a condition to be sufficient for the defence of her own independence.

The Tuscan Assembly has, however, understood, and all Italy will understand with it, that the accomplishment of this vote can not be effected otherwise than by means of the negotiations which will take place for the settlement of Italian affairs.

In seconding your desire, strengthened by the rights which have been conferred on me by your vote, I will advocate the cause of Tuscany with those Powers in whom the Assembly, with great wisdom, reposes its hopes, and especially with the generous Emperor of the French, who has done so much for the Italian nation.

Europe will not, I trust, refuse to exercise towards Tuscany that work of restoration which she has already exercised, under less favorable circumstances, in behalf of Greece, Belgium, and the Principalities of Moldavia and Wallachia.

Your noble country has given.

di concordia ha dato, o signori, in questi ultimi tempi il vostro nobile paese.

A queste virtù che la scuola della sventura ha insegnato all'Italia, voi aggiungerete, son certo, quella che vince le più ardue prove ed assicura il trionfo delle giuste imprese, la perseveranza.

gentlemen, in these last days, an admirable example of temperance and unanimity.

To these virtues, which Italy has learned from the school of adversity, you will add, I am assured, that which overcomes the most arduous trials, and secures the triumph of just enterprises — perseverance.

### *The Provisional Government Announces that It Will Exercise Authority in the Name of Victor Emanuel. September 29,* 1859 [1]

TOSCANI!

L'Assemblea de'vostri Rappresentanti legittimi deliberava esser fermo volere della Toscana di far parte d'un forte Regno costituzionale sotto lo scettro del RE VITTORIO EMANUELE di Casa Savoia. Le Assemblee di Modena, di Parma e delle Romagne emanarono unanimemente conformi deliberazioni. Questi voti solenni sono stati esauditi. La Maestà del Re Elletto accolse il libero atto di sudditanza del popolo toscano, modenese, parmense e romagnolo; e dichiarò che primo atto della sua sovranità sarebbe il far valere i diritti che quei popoli gli avevano dato.

. . . . .

Ma finchè il Re Eletto non prenda a regger personalmente i toscani, se il Governo presente deve reggerli per la Maestà Sua, deve anche gloriarsi e fortificarsi nel suo Nome Augusto. Così l'assetto nuovo della nazione

TUSCANS!

The Assembly of your lawful representatives has decided that it was the firm will of Tuscany to form part of a strong constitutional kingdom under the scepter of KING VITTORIO EMANUELE of the house of Savoy. The Assemblies of Modena, Parma, and Romagna have unanimously expressed similar resolutions. These solemn wishes have been granted. His Majesty the King elect acknowledges the free act of submission of the peoples of Tuscany, Modena, Parma, and Romagna, and declares that the first act of his sovereignty shall be to assert the rights that these peoples have given him.

. . . . .

But so long as the King elect will not personally govern the Tuscans, if the present Government is to govern on behalf of His Majesty, it must also strengthen and fortify itself by his august name. Thus the new

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[1] *Le Assemblee,* vol. 5, p. 713.

italiana procederà con sicurezza e gli ostacoli tutti un dopo l'altro cadranno, e l'Europa dovrà la sua quiete e il suo vero equilibrio alla concordia e alla fermezza degl'italiani.

Toscani, il vostro Governo proclama che d'ora in poi eserciterà il suo potere in nome di S. M. VITTORIO EMANUELE DI SAVOIA, RE ELETTO.

*Dato in Firenze, il dì ventinove settembre milleottocentocinquantanove.*

B. RICASOLI — C. RIDOLFI — E. POGGI — R. BUSACCA — V. SALVAGNOLI — P. DE CAVERO — CELESTINO BIANCHI, *segretario.*

order of the Italian nation will proceed safely, and all obstacles will be overcome one after the other, and Europe will owe its tranquillity and its very equilibrium to the harmony and stability of the Italians.

Tuscans! Your Government proclaims that henceforth it shall exercise its power on behalf of His Majesty VICTOR EMANUEL OF SAVOY, KING ELECT.

*Done at Florence, the twenty-ninth of September, eighteen hundred and fifty-nine.*

B. RICASOLI — C. RIDOLFI — E. POGGI — R. BUSACCA — V. SALVAGNOLI — P. DE CAVERO — CELESTINO BIANCHI, *Secretary.*

## MODENA

### *Electoral Law for a National Assembly of the Province of Modena. July 29, 1859* [1]

#### GOVERNO NAZIONALE DELLE PROVINCIE MODENESI

#### IL DITTATORE [2]

Considerando che le popolazioni modenesi hanno diritto e dovere d'esprimere i loro voti sulle proprie sorti;

Considerando che a questa sola condizione esse potranno trovare uno stabile ordinamento e concorrere colle altre Provincie Italiane alla grandezza ed alla prosperità dell'intiera nazione;

#### THE NATIONAL GOVERNMENT OF THE PROVINCE OF MODENA

#### THE DICTATOR

Considering that the people of Modena have the right and the duty to express their wish as to their own destiny;

Considering that by this method only can be formed a stable order and association with the other Italian Provinces in the greatness and the prosperity of the entire nation;

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[1] *Le Assemblee,* vol. 1, p. 521–526. This electoral law served as the model for those of Parma and Romagna.

[2] Farini, retiring as Royal Commissioner on July 27, had been appointed Dictator by the Modenese authorities on July 28.

Considerando che un'Assemblea nominata dai Comizi popolari sarà la legittima rappresentante di quel principio della volontà nazionale in cui si fondano i più prosperi e civili Governi d'Europa;

DECRETA:

### *Requisiti per essere elettore*

ART. 1. Per esercitare i diritti di elettore politico sono necessarie le condizioni seguenti:

1° essere nato o naturalizzato nelle Provincie modenesi;

2° essere giunto alla età di 21 anni compiuti il giorno della iscrizione nelle liste elettorali;

3° sapere leggere e scrivere.

ART. 2. Non possono esercitare i diritti di elettore politico coloro che furono condannati a pene criminali; coloro che sono in istato di fallimento dichiarato o di interdizione giudiziaria; coloro che hanno fatta cessione dei loro beni, sinchè non abbiano soddisfatti integralmente i loro creditori; coloro che furono condannati per furto, truffa ed attentato ai costumi.

L'esclusione dai diritti elettorali per causa di pene criminali non è applicabile a coloro che furono condannati per delitti politici.

ART. 3. Parimenti non possono esercitare i diritti di elettore politico quei cittadini i quali fanno parte di congregazioni claustrali o monastiche nelle quali si emette voto solenne di obbedienza.

Considering that an Assembly elected by the popular assemblies will be the legitimate representative of that principle of national will on which are founded the most prosperous and civilized Governments of Europe;

DECREES:

### *Electoral Qualifications*

ART. 1. To exercise the rights of political electors the following qualifications are necessary:

1. To be born or naturalized in the Province of Modena;

2. To have completed the 21st. year, before the day of inscription on the electoral lists;

3. To know how to read and write.

ART. 2. None may exercise the rights of political electors who have been condemned to criminal punishment; nor those who are in a state of declared bankruptcy or of judicial interdiction; nor those who have given away their possessions, if they have not completely satisfied their creditors; nor those who have been condemned for theft, fraud and crimes against morality.

Exclusion from electoral rights because of criminal punishment is not applicable to those who have been condemned for political crimes.

ART. 3. In like manner no citizen may exercise political electoral rights who is a member of a cloistered or monastic order in which a solemn oath of obedience is taken.

Art. 4. Ognuno esercita i diritti elettorali nel luogo del suo ultimo domicilio all'epoca della formazione delle liste.

*Formazione delle liste*

Art. 5. I Podestà colle Commissioni comunali inviteranno immediatamente con apposito manifesto tutti coloro che sono chiamati all'esercizio dei diritti elettorali a presentarsi al Comune per fare la dichiarazione, che dovrà essere la loro scritta e sottoscritta,

1° della loro età;
2° del luogo di nascita e domicilio;
3° della professione, arte o mestiere che esercitano.

Non sarà più ricevuta alcuna dichiarazione dopo il giorno 5 del p. v. mese di agosto.

Art. 6. Appena pubblicato il manifesto di cui sopra, le Commissioni comunali si riuniranno per esaminare le dichiarazioni e per intraprendere immediatamente la formazione in doppio originale delle liste degli elettori.

Le Commissioni comunali comprenderanno nelle liste anche coloro che non avranno fatta alcuna dichiarazione, quando sia notorio che essi hanno i requisiti voluti per essere elettori.

Art. 7. La formazione delle liste deve essere terminata il giorno 9 del prossimo agosto.

. . . . .

Art. 9. Uno degli originali delle

Art. 4. Electoral rights shall be exercised in the place of permanent domicile at the time of compilation of the lists.

*Compilation of the Lists*

Art. 5. The Podestà, with the Communal Commissions, shall invite immediately and in suitable manner all those called to exercise electoral rights, to present themselves at the town hall to make declaration in their own writing and under their signature —

1. of their age;
2. of their place of birth;
3. of their profession, science or trade.

No declaration shall be received later than the afternoon of August 5th.

Art. 6. As soon as the above notification is published, the Communal Commission shall meet to examine the declarations and to undertake immediately the compilation in duplicate of the lists of the electors.

The Communal Commission shall also include in the list those who have made no declaration, in case it is a matter of common knowledge that they possess the qualifications required for electors.

Art. 7. The compilation of the list should be terminated on August 9.

. . . . .

Art. 9. A copy of the original

liste così formate sarà affisso all'albo pretorio della Comunità per ventiquattro ore, durante le quali chiunque avrà reclami a proporre potrà presentarli alle Commissioni comunali.

Art. 10. In caso di richiami, le Commissioni comunali si aggiungeranno tre probi cittadini, unitamente ai quali decideranno a maggioranza di voti sui richiami stessi.

Art. 11. Le liste per tal modo formate e rivedute passeranno in cosa giudicata per la prima elezione nè potrà più farvisi alcuna variazione.

Art. 12. A cura dei Podestà una copia di queste liste sarà mandata agl' Intendenti generali ed Intendenti delle rispettive provincie.

Art. 13. Gli elettori riceveranno dai Podestà prima del giorno fissato per la riunione dei collegi elettorali un certificato comprovante la loro iscrizione sulle liste elettorali.

### *Dei Collegi elettorali*

Art. 14. Le elezioni si faranno nella proporzione di un deputato per ogni 8,000 abitanti.

Art. 15. I collegi elettorali sono distribuiti secondo la tabella annessa alla presente legge e che fa parte di essa.

Art. 16. Ogni collegio elettorale elegge un solo deputato.

Nei comuni in cui per la cifra della popolazione, a termini del precedente articolo, si deve eleggere più di un deputato, vi sarà un collegio per ogni deputato da eleggere.

list thus compiled shall be affixed to the pretorian register of the Community for twenty-four hours, during which any one wishing to make an appeal may present it to the Communal Commission.

Art. 10. In case of appeal the Communal Commission, to which three reputable citizens have been added, shall together decide the question by majority vote.

Art. 11. The list thus compiled and revised shall be final for the first election, nor shall it be subjected to further alteration.

Art. 12. The Podestà shall send a copy of this list to the General Intendents and the Intendents of the respective Provinces.

Art. 13. The electors shall receive from the Podestà before the day fixed for the meeting of the electoral college, a certificate attesting to their inscription on the electoral list.

### *Electoral Districts*

Art. 14. Deputies shall be chosen in the proportion of one deputy for each 8,000 inhabitants.

Art. 15. The electoral districts are distributed according to the table annexed to the present law and shall form part of the same.

Art. 16. Each electoral district shall elect one deputy only.

In the communes which, because of the size of the population, should, according to the preceding article, elect more than one deputy, there shall be a district for each deputy to be elected.

In tal caso le Commissioni comunali dovranno stabilire a quale collegio appartengono gli elettori.

ART. 17. I collegi elettorali sono convocati dal Capo del Governo.

ART. 18. Gli elettori non possono farsi rappresentare.

ART. 19. Gli elettori si riuniscono al capoluogo del collegio elettorale ove sono convocati a votare, uniti o divisi in sezioni, secondo le circostanze, dalle Commissioni comunali.

ART. 20. Le Commissioni comunali potranno dividere il collegio in sezioni e provvedere alla formazione e composizione di queste sezioni quando il numero degli elettori ecceda quello di mille.

In tal caso ciascheduna sezione non potrà comprendere meno di 500 elettori nè più di 750.

Ciascuna sezione concorre direttamente alla nomina del deputato che il collegio ha da eleggere.

. . . . .

ART. 23. Il collegio o la sezione elegge a semplice maggioranza di voti il Presidente e gli scrutatori definitivi, e l'Uffizio così composto nomina puro il segretario definitivo non avente ancor esso se non voce consultiva.

. . . . .

ART. 25. Il Presidente del collegio o della sezione è incaricato egli solo della polizia dell'adunanza. Niuna specie di forza armata può senza la sua richiesta collocarsi nella sala della stessa adunanza o nelle vicinanze.

In such a case the Communal Commission shall determine to which district the electors shall belong.

ART. 17. The electoral districts shall be convoked by the Head of the Government.

ART. 18. The electors can not be represented by substitutes.

ART. 19. The electors shall assemble at the headquarters of the electoral district where they are summoned by the Communal Commission to vote, together or divided into sections, according to circumstances.

ART. 20. The Communal Commission may divide the district into sections and provide for the formation and composition of each section when the number of electors exceeds one thousand.

In such case no section shall contain less than 500 electors or more than 750.

Each section shall at once proceed to the election of the deputy whom the district has to elect.

. . . . .

ART. 23. The district or the section shall elect the permanent President and tellers by simple majority vote, and the Bureau thus composed shall name the permanent secretary who shall have only an advisory function.

. . . . .

ART. 25. The President of the district and of the section is intrusted with the whole policing of the meeting. No armed force may be admitted into the meeting hall or in the vicinity without his orders.

Le autorità civili, le autorità militari ed i comandanti la Guardia nazionale saranno tenuti di ottemperare alle sue richieste.

Tre membri almeno dell'Uffizio dovranno sempre trovarsi presenti.

ART. 26. L'Uffizio pronunzia in via provvisoria sopra tutte le difficoltà che si sollevano riguardo alle operazioni del collegio o della sezione. . . .

E riserbato all'assemblea dei deputati nominati in conformità del presente Decreto il pronunziare sui reclami il giudizio definitivo.

. . . . . .

ART. 33.[1] Niuno è ammesso ad entrare nel locale delle elezioni se non presenta volta per volta il certificato di cui all'articolo 13.

. . . . . .

ART. 35. Ogni elettore, dopo di aver risposto alla chiamata, riceve dal Presidente un bollettino spiegato, sopra il quale scrive o fa scrivere da un altro elettore di sua scelta il suo voto: piegato poscia il bollettino, lo consegna al Presidente che lo pone nell'urna a tal uso destinata.

La tavola a cui siede l'elettore scrivendo il voto è separata da quella dell'Ufficio: quest'ultima, alla quale siedono il Presidente, gli scrutatori ed il segretario, è disposta in modo che

The civil and military authorities and the official heads of the National Guard shall hold themselves at his orders.

Three members of the Bureau shall always be present.

ART. 26. The Bureau shall pronounce provisionally on all difficulties arising regarding the operations of the college and of the sections. . . .

Final judgment as to all protests shall be reserved to the deputies elected in conformity with the present Decree.

. . . . . .

ART. 33. No one shall be allowed to enter the place of election without presenting, each in turn, the certificate mentioned in Article 13.

. . . . . .

ART. 35. Each elector, after having answered to his name, shall receive from the President an unfolded ballot, on which he shall write, or shall cause another elector of the same denomination to write, the vote for him. After folding the ballot he shall give it to the President who shall place it in the urn provided for the purpose.

The table at which the elector shall write his vote shall be separate from that of the Bureau; the latter, at which are seated the president of the tellers and the secretary, shall be so gli elettori possano girarvi attorno durante lo squittinio dei suffragi.

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[1] Articles 27, 31, 33 and 34 provide a penalty of two years' imprisonment for voting under a false name; a fine of 51–200 lira or imprisonment for ten days for causing disorder in the meeting and a similar fine for any one not an elector entering the hall during the session.

Art. 36. A misura che gli elettori van deponendo i loro voti nell'urna, uno degli scrutatori ed il segretario ne farà constare scrivendo il proprio nome a riscontro di quello di ciascun votante sopra un esemplare della lista a ciò destinata, che conterrà i nomi e le qualificazioni di tutti i membri del collegio e della sezione.

Art. 37. Ad un'ora dopo il mezzodì si procederà ad una seconda chiamata degli elettori che non risposero alla prima onde diano il loro voto. Quest'operazione eseguita, la votazione dichiarasi dal Presidente compiuta.

Art. 38. Aperta quindi l'urna e riconosciuto il numero dei bollettini, uno degli scrutatori piglia successivamente ciascun bollettino, lo spiega, lo consegna al Presidente che ne dà lettura ad alta voce e lo fa passare ad un altro scrutatore.

Il risultato di ciascun squittinio è immediatamente reso pubblico.

Art. 39. Tosto dopo lo squittinio dei suffragi i bollettini sono arsi in presenza del collegio, salvo quelli su cui nascesse contestazione, i quali saranno uniti al verbale e vidimati almeno da tre dei componenti l'Ufficio.

Art. 40. Nei collegi divisi in più sezioni lo squittinio dei suffragi si fa in ciascuna sezione. L'Ufficio della sezione ne dichiara il risultato me-

placed that the electors can pass around during the examination of the votes.

Art. 36. As each elector deposits his vote in the urn, one of the tellers and the secretary shall write his name upon a copy of the list provided for that purpose, which list shall contain the names and the qualifications of all the members of the districts and of the section.

Art. 37. At 1 P. M. there shall be a second calling of the electors who have not answered to the first call, so that they may cast their vote. The operation finished, the President shall declare the polls closed.

Art. 38. When the urn has been opened and the number of votes ascertained, one of the tellers shall take each ballot in turn, unfold it and give it to the President who shall read it in a loud voice and pass it to another teller.

The result of each counting shall be immediately made public.

Art. 39. Immediately after the counting of the votes the ballots shall be burned in the presence of the electors, in order to prevent any contest arising.

This shall be entered in the official report and witnessed by at least three of the members of the Bureau.

Art. 40. In the districts divided into sections the count of the votes shall be made in each section. The Bureau of the section shall state the diante verbale soscritto dai suoi membri. . . .

Art. 41. I bollettini ne'quali il votante sarebbesi fatto conoscere sono nulli.

Art. 42. Sono altresì nulli i bollettini contenenti più di un nome e quelli che non portono sufficiente indicazione della persona eletta.

Art. 43. L'Ufficio pronunzia sopra la nullità come sopra ogni altro incidente, salve le reclamazioni.

Art. 44. I bollettini dichiarati nulli non verranno computati nel determinare il numero dei votanti.

Art. 45. Per essere eletto deputato bisogna avere la maggioranza assoluta dei voti degli elettori presenti alla votazione. . . .

Art. 46. Ove nel primo squittinio nessuno dei candidati abbia ottenuta la maggioranza assoluta, si procederà nel giorno seguente ad una seconda votazione fra i due candidati che nel primo squittinio ottennero il maggior numero di voti. . . .

Art. 47. Non può esservi che una sola adunanza ed un solo squittinio in ciascun giorno. Dopo lo squittinio l'adunanza verrà sciolta immediatamente, eccettochè siansi proposti reclami intorno allo squittinio medesimo, sui quali dovrà essere statuito dall'Ufficio prima che sciolgasi l'adunanza in cui ebbe luogo.

Art. 48. I membri dell'Ufficio principale stenderanno il verbale dell' elezione prima di sciogliere l'adunanza

result in a report signed by the members. . . .

Art. 41. The ballots in which the voter makes known his name shall be void.

Art. 42. Those ballots are also void which contain more than one name and which do not contain sufficient indication of the person chosen.

Art. 43. The Bureau shall decide on the nullity as on all other incidents save appeals.

Art. 44. The ballots declared void shall not be counted in the result of the vote.

Art. 45. An absolute majority of the votes of the electors present at the voting shall be necessary for the election of a deputy. . . .

Art. 46. If at the first count no one of the candidates shall have obtained an absolute majority, a new election shall be held on the following day, the choice to be between the two candidates who at the first count have obtained the greater number of votes. . . .

Art. 47. There shall be but one meeting and one count on each day. After the count the meeting shall be immediately closed, except when appeals have been entered concerning the count, upon which appeals the committee must decide before the meeting in which they have arisen is dissolved.

Art. 48. The members of the principal Bureau shall make the report of the election before closing e lo indirizzeranno immediatamente al Governo per mezzo dell'Intendente generale od Intendente della rispettiva provincia.

### *Dei Deputati*

ART. 49. Ogni elettore è eleggibile quando abbia raggiunto l'età di 25 anni.

ART. 50. I deputati rappresentano le provincie modenesi in generale e non le sole provincie in cui furono eletti.

Nessun mandato imperativo può loro darsi dagli elettori.

ART. 51. Se un deputato cessa per qualunque motivo dalle sue funzioni, il collegio che lo aveva eletto sarà convocato per fare una nuova elezione.

ART. 52. Le funzioni di deputato non dànno luogo ad alcuna retribuzione.

ART. 53. Durante il tempo in cui l'Assemblea sta adunata nessun deputato può essere arrestato se non in caso di flagrante delitto, nè tradotto in giudizio per causa criminale senza il previoo consenso dell'Assemblea.

### *Dell'Assemblea*

ART. 54. L'Assemblea si riunisce per costituire il Potere esecutivo e per esprimere i suoi voti sulla sovranità delle provincie modenesi e sull'essere loro rispetto all'ordinamento nazionale dell'Italia.

ART. 55. Le sedute e le deliberazioni dell'Assemblea non sono valide

the meeting, and shall send it immediately to the Government by means of the Intendent General or the Intendent of the respective province.

### *Deputies*

ART. 49. Each elector is eligible who has attained the age of twenty-five years.

ART. 50. The deputies shall represent the provinces of Modena in general and not the single province from which they were elected.

No imperative mandates shall be given them by the electors.

ART. 51. If a deputy for any reason ceases to act, the district which elected him shall be convened for a new election.

ART. 52. The functions of a deputy shall not carry remuneration.

ART. 53. While the Assembly is in session no deputy may be arrested save in case of a flagrant offence, nor brought to trial for crime without the previous consent of the Assembly.

### *The Assembly*

ART. 54. The Assembly shall meet in order to constitute the executive power and to express its will regarding the sovereignty of the provinces of Modena and their relation with regard to the national organization of Italy.

ART. 55. The sessions and the deliberations of the Assembly shall not se la maggioranza assoluta de'suoi membri non è presente.

Art. 56. Le deliberazioni non'possono essere prese se non alla maggioranza dei voti.

Art. 57. L'Assemblea si riunisce per la prima volta sotto la presidenza del decano e assume come segretari i due membri più giovani.

Art. 58. L'Assemblea è essa sola competente per giudicare della validità dei titoli di ammissione dei singoli membri.

Art. 59. Fatta la verificazione dei poteri, l'Assemblea nomina nel proprio seno il presidente, i vice-presidenti, i segretari ed i questori, i quali rimangono in carica durante tutta la sessione.

Art. 60. Le sedute dell'Assemblea sono pubbliche: ma quando dieci membri ne facciano domanda al Presidente essa può deliberare in segreto.

Art. 61. Ogni proposta debbe essere prima esaminata dalle Commissioni che saranno dall'Assemblea nominate pei lavori preparatori.

Art. 62. L'Assemblea ha essa sola il diritto di ricevere le dimissioni dei suoi membri.

*Modena, 29 luglio* 1859.

Farini.

be valid if the absolute majority of its members is not present.

Art. 56. Decisions can not be taken except by a majority of votes.

Art. 57. The Assembly shall meet at the first instance under the presidency of the dean and shall appoint as secretary the two youngest members.

Art. 58. The Assembly shall alone be competent to judge of the validity of the title to his seat of each of its members.

Art. 59. The powers having been verified, the Assembly shall elect from its members a President, a Vice-president, Secretaries and the Quaestors who shall remain in office during the whole session.

Art. 60. The sessions of the Assembly shall be public; but when ten members shall make a request to the President, the debate may be secret.

Art. 61. All propositions shall first be examined by the Committees which shall be nominated by the Assembly for the preparatory work.

Art. 62. The Assembly has the sole right to receive the resignation of its members.

*Modena, July* 29, 1859.

Farini.

## *Convocation of the Electoral Colleges, August* 5, 1859[1]

### IL DITTATORE DELLE PROVINCIE MODENESI

Visto l'articolo 17 del decreto 29 luglio ultimo scorso.[2]

DETERMINA:

ART. 1. I collegi elettorali sono convocati pel giorno quattordici del corrente agosto.

Occorrendo una seconda votazione questa avrà luogo il giorno quindici successivo.

ART. 2. L'Assemblea dei deputati è convocata in Modena pel giorno sedici.

Il presente decreto sarà pubblicato nei modi voluti dalla legge.

*Dato in Modena dal Palazzo Nazionale, li* 5 *agosto* 1859.

*Il Dittatore,* FARINI.

### THE DICTATOR OF THE PROVINCES OF MODENA

In view of Article 17 of the decree of the 29th of last July:

DETERMINES:

ARTICLE 1. That the electoral districts are convoked for the fourteenth of the current August.

Should a second balloting be necessary it will take place on the fifteenth following.

ART. 2. That the Assembly of Representatives is convoked in Modena for the sixteenth.

The present Decree shall be published in the manner required by law.

*Given in Modena from the National Palace, August* 5*th,* 1859.

*Dictator,* FARINI.

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## *The National Assembly of the Provinces of Modena Dethrones the House of Hapsburg-Lorraine. August* 20, 1859[3]

### L'ASSEMBLEA NAZIONALE DELLE PROVINCIE MODENESI:

Considerando che il diritto imprescrittibile dei popoli di costituirsi, troppe volte disconosciuto, è oggi ammesso da tutte le nazioni civili, e forma ormai parte del diritto pubblico europeo;

. . . . .

### THE NATIONAL ASSEMBLY OF THE PROVINCES OF MODENA:

Considering that the unwritten right of the peoples to organize themselves, too often unrecognized, is today admitted by all civilized nations, and forms, henceforth, part of the public law of Europe;

. . . . .

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[1] *Le Assemblee,* vol. 1, p. 526.

[2] Article 17 of the Decree of July 29, 1859, which published the electoral law, established that "the electoral districts are convoked by the Head of the Government."

[3] *Ibid.,* p. 546.

Considerando che non è nemmanco compatibile nelle stesse provincie il regno di chi per ragioni di famiglia, o per trattati pretendesse succederle, perchè stranieri essi pure, ed avversi all'indipendenza e al bene della nazione italiana,

DECRETA:

Francesco V. d'Austria d'Este è decaduto dalla sovranità degli Stati modenesi.

E esclusa in perpetuo dal reggimento di queste provincie, sotto qualsiasi forma, la Dinastia d'Austria d'Este, e qualunque principe della Casa d'Absburgo-Lorena."

. . . . .

Considering also that it is not compatible that in these same provinces, anyone should reign because of family, or should claim succession through treaties, because they also are foreigners and averse to the independence and welfare of the Italian nation,

DECREES:

That Francesco V. of Ausria-Este is dethroned from the sovereignty of the States of Modena.

The Dynasty of Austria-Este or any Prince of the House of Hapsburg-Lorraine, is excluded perpetually from reigning in these provinces under any form whatever.

. . . . .

*The National Assembly of the Provinces of Modena Decrees the Union of the Provinces with the Constitutional Monarchy of Sardinia. August* 21, 1859[1]

### L'ASSEMBLEA NAZIONALE DELLE PROVINCIE MODENESI:

Considerando che il Governo costituzionale di Vittorio Emanuele II, Re generoso e leale, è quello intorno a cui dobbiamo stringerci per ottenere la nostra indipendenza e libertà;

Considerando che l'unione a quel Governo è consigliata alle provincie modenesi dal bisogno di costituire un forte Regno in Italia, dalla loro posizione geografica e dai materiali loro interessi;

### THE NATIONAL ASSEMBLY OF THE PROVINCES OF MODENA:

Considering that the Constitutional Government of the generous and loyal King Victor Emanuel II is that around which we should unite to obtain our independence and liberty;

Considering that union with that Government is advisable for the Provinces of Modena by reason of the necessity of forming a strong Kingdom in Italy, of their geographical position, and of their material interests;

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[1] *Le Assemblee*, vol. 1, p. 550. This decree was passed unanimously by secret ballot.

Considerando che pei voti universalmente espressi dalle provincie modenesi nel 1848, con un solenne atto di dedizione, furono le medesime aggregate ed incorporate al Regno Sardo, e cessarono solo di farne parte per la prepotenza delle armi straniere;

Considerando che questi voti costantemente nutriti, malgrado della più dura pressione a delle più sfavorevoli condizioni politiche, furono nel 1859 manifestati in un modo anche più solenne ed irrefragibile col'invio di miglaia di volontari alla guerra della indipendenza e con oltre 90 mila soscrizioni;

Considerando che questi voti così splendidamente proclamati ebbero di nuovo il loro adempimento dalla metà dell'ultimo scorso giugno sino alla stipulazione dei patti di Villafranca i quali rimettendo queste provincie in balìa di loro medesime le collocarono nella necessità di provvedere ai loro futuri destini.

DECRETA:

Di voler confermata e mantenuta, a costo di qualunque sacrifizio, l'unione delle provincie modenesi al Regno monarchico-costituzionale della gloriosa Casa di Savoia, sotto lo scettro del magnanimo Re Vittorio Emanuele II.

Considering that by the universal vote expressed by the provinces of Modena in 1848, they joined and were incorporated in the Kingdom of Sardinia by a solemn act of dedication, and only ceased to belong to it through the supreme power of foreign arms;

Considering that these votes, constantly maintained in spite of severe pressure and under the most unfavorable political conditions, were in 1859 manifested in a manner still more solemn and irrefutable, by sending thousands of volunteers to the war of independence, and by more than 90,000 signatures;

Considering that these votes, so splendidly proclaimed, were fulfilled in the middle of last June, even to the stipulation of the treaties of Villafranca which, leaving these provinces to their own authority placed them under the necessity of providing for their future destinies;

DECREES:

That the union of the Provinces of Modena to the Kingdom of the Constitutional Monarchy of the glorious House of Savoy, under the sceptre of the magnanimous King Victor Emanuel II, must be confirmed and maintained at any sacrifice.

## ROMAGNA

### *Appeal for a Plebiscite. July* 22, 1859 [1]

CITTADINI!

La manifestazione del voto generale sull'ordinamento della cosa pubblica, è naturale diritto d'ogni popolo.

Questo diritto venne proclamato solennemente dall'Imperatore dei Francesi al cospetto del mondo, come la vera base del diritto pubblico.

Nelle attuali gravi circostanze in cui le sorti d'Italia vittoriose sui campi di battaglia, sono rimesse anche una volta nelle mani della diplomazia, a questo diritto gl'Italiani debbono con fiducia ricorrere e palesare ordinatamente i loro voti.

Chè se la forte gioventù degli Stati romani versò anch'essa valorosamente il sangue per la causa nazionale illustrando il nome italiano, questo nobil sangue sarebbe versato indarno, se ogni cittadino che lo può liberamente non accorresse al compimento dell' opera, col manifestare la propria volontà intorno al futuro reggimento di questi popoli.

. . . . . .

*Bologna, 22 luglio* 1859.

Il Comitato costituitosi per la sottoscrizione al voto popolare:

RINALDO PRINCIPE SIMONETTI — RAMPONI FRANCESCO — ZOBOLI GIOVANNI . . .

CITIZENS!

The manifestation of the general will as to the ordering of public affairs, is the natural right of every people.

This right was solemnly proclaimed by the Emperor of the French in the face of the world, as the true foundation of public right.

In the actual grave circumstances when the fate of Italy, victorious on the battlefield, has been placed in the hands of a diplomat, the Italians ought to resort to the right with confidence, and duly make known their wishes.

For if the valiant youths of the Roman states gave their blood so bravely for the national cause, making illustrious the Italian name, this noble blood would be shed in vain if every citizen who can freely do so, does not agree to the fulfillment of the work, by manifesting his own wishes in regard to the future administration of these people.

. . . . . .

*Bologna, 22 July,* 1859.

The Committee which has formed itself to procure signatures of the popular will:

PRINCE RINALDO SIMONETTI — FRANCESCO RAMPONI — GIOVANNI ZOBOLI . . .

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[1] *Le Assemblee,* vol. 1, p. 357.

## *The Sardinian Commissioner Retires from Office that the Vote may be Free. July 28, 1859*[1]

Popoli delle Romagne!

La pace conchiusa in Villafranca fra i due Imperatori ha fatto cessare il più importante dei motivi pei quali il Re Vittorio Emanuele mi aveva mandato suo Commissario fra voi: quello di chiamarvi alle sue bandiere per la guerra d'indipendenza.

Egli m'imponeva al tempo stesso che io mantenessi l'ordine in queste provincie e vuole ora disponga le cose in modo che in queste nuove ed impreviste condizioni esso non s'abbia a turbare. Per quanto era in me e per quanto lo concedesse il tempo, cercai servire fedelmente a queste sue leali intenzioni.

Ho l'incarico di annunziarvi che egli, sollecito sempre del nostro bene, impiegherà con premura caldissima tutti i mezzi concessi dal diritto internazionale onde otteniate dal concorso dei Governi europei l'adempimento dei vostri giusti e ragionevoli desideri.

La presenza di un Commissario del Re ne potrebbe preoccupare la libera manifestazione alla quale il sospetto di interessate influenze toglierebbe fede e valore. Egli quindi mi richiama da quest'ufficio ed è mio dovere ubbidire. Con qual cuore io vi lascio ve lo dica il cuor vostro. Ma vi dica insieme che, se non è sempre dato all'uomo vincere la fortuna, neppure la

People of Romagna!

The peace concluded at Villafranca between the two Emperors, has put an end to the most important of the reasons why Victor Emanuel had sent me as Commissioner to you: that of calling you to his standard for the war of independence.

He also commissioned me, at the same time, to maintain order in this province, and he wishes now to make disposition of affairs so that in these new and unforeseen conditions it shall not be disturbed. As far as it was in my power and time allowed, I have tried to serve faithfully these loyal purposes of his.

I have the task of announcing to you that he, always solicitous of our good, will employ with the greatest eagerness all the means conceded by international law, in order that you may obtain from the cooperation of European governments the fulfillment of your just and reasonable wishes.

The presence of a Royal Commissioner might hinder their free manifestation, from which a suspicion of interested influence might take away confidence and validity. Therefore, he recalls me from this office, and it is my duty to obey. With what heart I leave you, your own heart may tell you. But it may tell you, at the same time, that it is not always given to fortuna può vincerlo ove egli nol voglia.

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[1] *Le Assemblee,* vol. 1, p. 358.

È vostro diritto il proclamare al cospetto del mondo quali siano vostri voti.

. . . . . .

*Torino, 28 luglio* 1859.
Massimo D'Azeglio.

man to conquer fortune, nor can fortune conquer him when he does not wish it.

It is your right to proclaim in the face of the world what are your wishes.

. . . . . .

*Turin, 28 July,* 1859.
Massimo D'Azeglio.

### *The Governing Council Announces that an Assembly will be held. August 2,* 1859 [1]

Popoli delle Romagne!

. . . . . .

Noi, assumendo per breve tempo il poderoso incarico, a cui niun probo cittadino può ricusarsi quando la necessità della patria il dimanda, abbiamo subito compreso che due gravissimi doveri c'incombevano.

L'uno di eleggere un capo del Governo per dare al potere esecutivo quell'unità e speditezza che sono indispensabili nei momenti difficili come i presenti. E quindi abbiamo eletto ad unanimità il Colonnello Leonetto Cipriani, ben noto per l'energia de' suoi propositi e per la sua inalterabile devozione alla causa italiana.

L'altro di convocare prestamente, a somiglianza di Toscana e di Modena un'Assemblea che sia interprete dei voti del Paese legalmente costituito e nomini stabile Governo che prenda con gli Stati vicini un assetto definitivo per renderci più forti contro la ristaurazione dei Governi passati e

People of Romagna!

. . . . . .

We, assuming for a short time the heavy burden which no upright citizen may refuse, when the need of the country calls, have immediately realized that two very heavy duties concern us.

The one, to elect a head of Government to give to the executive power that unity and expedition that are indispensable in difficult moments like the present. Therefore, we have unanimously elected Colonel Leonetto Cipriani, well known for the vigor of his intentions and his unalterable devotion to the Italian cause.

The other, to call at once an assembly like that of Tuscany and Modena which, legally constituted, may interpret the wishes of the country, and which may nominate a stable Government that shall take, together with the neighboring states, a definite stand, to make themselves stronger fare meglio accordi ed apprezzati i nostri voti davanti al Consesso d'Europa.

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[1] *Le Assemblee,* vol. 1, p. 360.

. . . . .

*Bologna, il 2 di agosto* 1859.

Gioachino Napoleone Pepoli — Antonio Montanari. . . .

against the restoration of the former Government, and give better agreement and value to our votes before the tribunal of Europe.

. . . . .

*Bologna, 2nd of August,* 1859.

Gioachino Napoleone Pepoli, Antonio Montanari. . . .

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## *Instructions in Regard to the Approaching Elections. August* 8, 1859 [1]

### AI SIGNORI INTENDENTI DELLE PROVINCIE

*Illustrissimo Signore,*

È imminente la pubblicazione della legge relativa alle elezioni dei deputati per l'Assemblea Nazionale chiamata a proferire un voto solenne e legale sulle sorti di queste Provincie.[2]

Affinchè l'opera importante delle elezioni non sia preoccupata dai partiti, è d'uopo che il Governo, in un paese non abituato all'esercizio regolare di tali diritti, prenda una benefica iniziativa.

La S. V. Illustrissima pertanto, valendosi dell'opera di cittadini degni di tutta la di Lei fiducia, userà ogni cura onde in codesto capo-luogo e in tutta la Provincia siano formati Comitati elettorali, incaricati d'illuminare e dirigere gli elettori e di cooperare onde la Rappresentanza nazionale si componga di uomini savi ed energici ad un tempo, capaci a penetrarsi della grave importanza del loro mandato e a comprendere che dal senno, dalla pru-

### TO THE INTENDENTS OF THE PROVINCES

*Honored Sir,*

The publication of the law relative to the elections of deputies for the National Assembly, called to proffer a solemn and legal vote on the fate of these provinces, is imminent.

In order that the important work of the elections may not be hindered by factions, it is necessary that the Government, in a country not accustomed to the regular exercise of such rights, should take a benevolent initiative.

Your Excellency, therefore, availing yourself of the aid of the citizens worthy of all your trust, will use every care so that in this capital and throughout the province there may be formed electoral committees, commissioned to instruct and direct the electors and to cooperate so that the national Representation may be composed of men both wise and active, capable of understanding the great importance of their calling and denza, dall'energia dell'Assemblea Nazionale dipenderà la salvezza di queste Provincie e l'adempimento dei voti di queste popolazioni.

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[1] *Le Assemblee,* vol. 1, p. 362.

[2] The electoral law was published with the decree of the Governor General on the same day and is similar to that of Modena and Parma.

Non è certo tra i desideri del Governo che gli uomini dei partiti estremi siano esclusi dalle elezioni. Ciò che il Governo desidera pel vero bene del Paese si è che i partiti estremi non abbiano ad imporre alla Rappresentanza nazionale opinioni e desideri che non sono della maggioranza dei cittadini.

Con queste norme generali Ella potrà dunque accingersi alla formazione dei Comitati elettorali, adoperando tutta la prudenza che le è propria e chiamando a cooperarla que'cittadini che Ella reputa più acconci all'uopo, sia per la loro probità e saviezza che pel loro attaccamento all'attuale ordine di cose.

Passo nel frattanto a confermarmi coi sensi di stima distinta.

*Bologna, 8 agosto* 1859.

ANTONIO MONTANARI.

of realizing that upon the wisdom, the prudence and the energy of the National Assembly will depend the safety of these provinces and the fulfillment of the wishes of the people of these districts.

It is certainly not the wishes of the Government that men of the extreme factions should be excluded from the elections. What the Government desires for the true good of the country is that the extreme factions may not impose upon the national representatives opinions and desires that are not shared by the majority of the citizens.

With these general rules you may then prepare for the formation of electoral committees, using all the prudence that is needful and calling upon the cooperation of those citizens whom you consider most appropriate for the work, either because of their honesty and wisdom or because of their attachment to the present order of things.

In closing I sign myself, with esteemed consideration,

*Bologne, August* 8, 1859.

ANTONIO MONTANARI.

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## *Circular Letter to the Officials of Romagna Emphasizing the Importance of the Approaching Elections. August* 22, 1859[1]

Agl'Intendenti e Sotto Intendenti e
Alle Commissioni Municipali delle
Romagne.

SIGNORI,

Ecco che si approssima il giorno

To the Intendents and Sub-Intendents and to the Municipal Committees of Romagna,

GENTLEMEN!

Now the day is approaching on

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[1] *Le Assemblee,* vol. 1, p. 363.

in che le nostre popolazioni hanno da compiere uno degli atti più nobili e gravi della loro rigenerazione; hanno da eleggere i deputati all'Assemblea che sarà interprete e banditrice dei nostri fermi propositi, dei nostri sacrosanti diritti in faccia all'Italia ed all'Europea intera.

. . . . .

Ma però, in mezzo a quella amara sorpresa,[1] gli Stati dell'Italia centrale compresero tosto che le sorti loro non erano decise e che grave e nobile compito era riservato al senno, all'energia e fermezza di queste popolazioni. Napoleone III aveva detto nel suo proclama di Milano: *oggi tutti soldati per essere domani liberi cittadini.* E quindi la prima idea che si affacciava spontanea alle menti e diffondevasi come elettrica scintilla nell'universale fu quella di esprimere popolarmente con cittadine sottoscrizioni la incompatibilità dei dominatori passati ed il voto fermo e costante di queste contrade. Ciò che praticavasi in Toscana, a Parma, a Modena, aveva luogo anche nelle Romagne, e le centinaia di migliaia di firme che si veggono nei registri dicono abbastanza eloquentemente al mondo cosa pensino e cosa vogliano le nostre popolazioni. Quella votazione nazionale dell'Indirizzo a Vittorio Emanuele, a Napoleone III ed alle Potenze d'Europa, cui sottoscrissero concordemente le città, i borghi e le campagne fu la seconda dichiarazione e protesta che espressero le Romagne.

which our people must fulfill one of the most noble and serious acts of their regeneration; they must elect deputies to the Assembly which will be interpreter and herald of our firm resolutions and of our sacred rights in the face of Italy and of all Europe.

. . . . .

Yet, in the midst of this bitter surprise, the states of central Italy soon understood that their fates were not decided, and that a serious and noble task was reserved for the wisdom, energy and steadfastness of this population. Napoleon III had said in his proclamation at Milan: —"*all are soldiers to-day in order to be free citizens to-morrow.*"— And thus the first idea that came spontaneously to mind and spread universally like an electric spark, was that of expressing popularly, by signatures of the citizens, the incompatibility of the former rulers with the steadfast and constant wishes of these regions. What was going on in Tuscany, in Parma and in Modena, was also taking place in Romagna, and the hundred thousand signatures that are seen in the registers, tell eloquently enough to the world what our people think and wish. That national voting of the Address to Victor Emanuel, to Napoleon III and to the powers of Europe, which the city, the boroughs and the country districts signed in unison, was the second declaration and protest which the people of Romagna expressed.

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[1] *i. e.*, Villafranca.

Ma ora ci resta a compiere la terza e più rilevante di tutte, che, pigliando la forma di quella legalità che si pratica fra i popoli civili e liberamente costituiti, ha da riuscire come la riprova, il suggello dei nostri fermi ed inalterabili proponimenti. E siccome questa riprova deve essere solenne, deve avere un pondo gravissimo nei Consigli dell'Europa, così importa che da un lato sia coscienziosa ed assennata, dall'altro abbia il voto generale di ogni ordine di cittadini.

Per questo il Governo, come sapeva di rendersi interprete dell'opinione pubblica chiamando a votare tutti i cittadini atti ad intenderne l'importanza, così oggi fa appello alla stessa pubblica opinione perchè tutti i chiamati concorrano con frequenza ne'collegi elettorali a compiere il nobile mandato.

. . . . .

. . . Ora ogni cittadino col suo voto dimostri al mondo che siamo maturi a libertà, che sappiamo esercitare il diritto più nobile di un popolo, quale si è di fondare il Governo che vuole, e decidere delle proprie sorti.

Mostriamolo al mondo dignitosamente e fiduciosi, e rendiamoci ben certi che i potentati europei ne apprezzeranno il valore. Passato è il tempo in che la politica guardava solo ai titoli delle dinastie e i diritti dei popoli poneva in non cale . . . oggi comprendono anche i regnanti che l'Europa è stata un focolare di rivoluzioni negli ultimi quarant'anni appunto perchè in quel Consesso del

But now it remains for us to complete the third and most important of all, which, taking the legal form which is usual among civilized people living under a free constitution, must appear as the token and seal of our firm and unalterable resolution. And as this token must be solemn and must have very heavy weight in the Councils of Europe, it is important that it should be conscientious and wise, and that it should have the general assent of every class of citizens.

For this reason the Government, as it knew that it was making itself the interpreter of public opinion, by calling to vote all the citizens able to understand its importance to-day makes an appeal to this same public opinion so that all those summoned may crowd to the voting places to fulfil their noble duty.

. . . . .

. . . Let every citizen now show the world by his vote that we are ripe for liberty, that we know how to exercise the most noble right of a people, which is to found the government which it wishes, and to decide its own fate.

Let us show this to the world worthily and trustingly, and let us be assured that the European Powers will realize its importance. The time is passed in which politics regarded only the titles of dynasties, and the rights of the people were uncared for. . . . to-day even the ruling powers of Europe understand that Europe has been a hot-bed of revolutions in the last forty years, precisely because in

1815 i diritti dei popoli vennero duramente conculcati. Per questi motivi noi abbiamo veduto la diplomazia ricredersi mano mano e far ragione ai diritti dei Belgi, dei Greci, della Penisola spagnuola, e da ultimo anche dei Rumeni. Or via, ciò che due anni fa i potentati europei acconsentivano ai Principati danubiani, vorranno negarlo alla patria delle arti belle, delle scienze e del diritto, alla madre della coltura, dell'incivilmento?

. . . . .

Votiamo adunque concordi, animosi e fidenti, come facevano non ha guari i Toscani e i Modenesi, e come faranno in breve i Parmigiani e i Piacentini. Votiamo numerosi e concordi, e poi, a somiglianza dell'Assemblea fiorentina, affidiamo il nostro voto alla protezione generosa di Napoleone III, il quale non può dimenticare che il suo trono fondavasi sulla base del suffragio popolare; alla simpatia dell'Inghilterra, che è patria antica del diritto individuale e della libertà cittadina; alla giustizia dell'Europa, la quale riconosce oggimai che l'Italia ha diritto di sedere anch' essa al banchetto delle Nazioni libere ed indipendenti.

*Bologna, 22 agosto* 1859.

*Il gerente la Sezione dell'interno,*

A. MONTANARI.

that Congress of 1815 the rights of the peoples were harshly trampled upon. For these reasons we have seen diplomacy gradually turning to take into consideration the rights of the Belgians, the Greeks, the Spanish peninsula, and lately also the Rumanians. Now, then, will the European Powers try to deny to the home of the Fine Arts, of the Sciences and of Law, to the Mother of Culture and Civilization that which they granted two years ago to the Danubian Principalities?

. . . . .

Let us vote, then, unitedly, boldly and trustingly as the people of Tuscany and of Modena have done not long ago and as those of Parma and Piacenza will soon do. Let us vote in large numbers and harmoniously, and then, like the Florentine Assembly, let us trust our votes to the generous protection of Napoleon III, who can not forget that his throne was built on the basis of popular suffrage; on the sympathy of England which is the ancient home of the rights of the individual and of the freedom of citizens; on the justice of Europe, which recognizes even now that Italy also has the right to sit at the banquet of free and independent nations.

*Bologna, August 22nd,* 1859.

*The Chairman of the Section of the Interior,*

A. MONTANARI.

## *Convocation of the Electoral Constituencies of Romagna. August* 24, 1859[1]

### IL GOVERNATORE GENERALE DELLE ROMAGNE

Visto il decreto 8 di agosto 1859;

Visti gli articoli 3 e 5 del medesimo;

Vista la tabella pubblicata il 20 corrente agosto;

DECRETA:

1. I collegi elettorali delle Romagne, a norma della tabella suddetta, sono convocati per domenica, 28 agosto 1859.

2. Le Commissioni municipali dei luoghi ove si riuniscono i collegi stabiliranno le indicazioni più precise del luogo e dell'ora delle adunanze.

3. Il gerente dell'interno è incaricato della esecuzione del presente decreto.

*Fatto a Bologna, il* 24 *agosto* 1859.

*Il governatore generale*
LEONETTO CIPRIANI
*Il gerente dell'interno e di pubblica sicurezza*
A. MONTANARI.

### THE GOVERNOR GENERAL OF ROMAGNA

In view of the decree of August 8th, 1859;

In view of the 3rd and 5th articles of the same;

In view of the table published on the 20th of the current month of August;

DECREES:

1. The electoral districts of Romagna, according to the table abovementioned, are convoked for Sunday, August 28th, 1859.

2. The municipal commissions of the places where the districts will meet, shall give the most exact directions as to the place and hour of the meetings.

3. The Secretary of the Interior is charged with the execution of the present decree.

*Done at Bologna, August* 24th. 1859.

*Governor General,*
LEONETTO CIPRIANI
*Secretary of the Interior and of Public Welfare,*
A. MONTANARI.

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[1] *Le Assemblee*, vol. 1, p. 366.

## *Convocation of the National Assembly of Romagna at Bologna. August* 25, 1859[1]

### IL GOVERNATORE GENERALE DELLE ROMAGNE

Visto il decreto 8 agosto 1859 per la convocazione dell'Assemblea nazionale delle Romagne;

Visto il decreto del 24 agosto, col quale è stabilita la riunione dei collegi elettorali pel dì 28 corrente;

DECRETA:

L'Assemblea nazionale si riunirà in Bologna giovedì, 1° di settembre 1859, alle ore 12 meridiane nel palazzo dell'Accademia di belle arti.

Il gerente dell'interno è incaricato della esecuzione del presente decreto.

*Fatto in Bologna, il* 25 *agosto* 1859.

*Il governatore generale*
LEONETTO CIPRIANI
*Il gerente dell'interno e di pubblica sicurezza*
A. MONTANARI.

### THE GOVERNOR GENERAL OF ROMAGNA

In view of the decree of August 8th, 1859, for the convocation of the National Assembly of Romagna;

In view of the decree of August 24th, by which it is decreed that the electoral districts shall meet on the 28th of the current month;

DECREES:

The National Assembly shall meet in Bologna on the first of September, 1859, at 12 o'clock, noon, in the palace of the Academy of Fine Arts.

The Secretary of the Interior is charged with the execution of the present decree.

*Done at Bologna, the 25th of August,* 1859.

*Governor General,*
LEONETTO CIPRIANI
*Secretary of the Interior and of Public Safety,*
A. MONTANARI.

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## *Decree of the National Assembly of Romagna Deposing the Temporal Power. September* 6, 1859[2]

Considerando che questi popoli, dopo avere avuto statuti e leggi proprie, e nel principio del secolo presente fatto parte del Regno Italico, furono nel 1815, senza il consenso loro posti sotto il Governo temporale pontificio,

Considering that these people, after having had their own statutes and laws, and, in the beginning of the present century having been part of the Italian Kingdom, were in 1815, without their consent, put under the e che questo, senza ripristinare le antiche franchigie, distrusse i buoni ordini nuovamente introdotti; . . .

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[1] *Le Assemblee,* vol. 1, p. 366.

[2] *Ibid.,* vol. 1, pp. 390–391. The vote was by secret ballot and unanimous.

Considerando infine che il Governo temporale pontificio è sostanzialmente e storicamente distinto dal potere spirituale della Chiesa, cui questi popoli professano piena reverenza;

Noi, rappresentanti dei popoli delle Romagne, convenuti in generale Assemblea, appellandone a Dio della rettitudine delle nostre intenzioni, dichiariamo:

Che i popoli delle Romagne, rivendicato il loro diritto, non vogliono più Governo temporale pontificio.

pontifical temporal government, and that this government without renewing the old franchises has destroyed the good arrangements recently introduced; . . .

Considering, finally, that the temporal pontifical government is substantially and historically distinct from the spiritual power of the Church, for which these peoples profess full reverence;

We, representatives of the people of Romagna, convened in the General Assembly, calling upon God to witness the righteousness of our intentions, declare:

That the people of Romagna, having regained their rights, no longer wish for the temporal pontifical government.

### *Decree of the National Assembly of Romagna for Union with the Constitutional Kingdom of Sardinia. September 7*, 1859 [1]

Considerando che il voto unanime e fermo di questi popoli è per un Governo forte, che assicuri l'indipendenza nazionale, l'uguaglianza civile e la libertà;

Considerando che il loro primo bisogno è di posare in un assetto stabile e finale rispetto alla Nazione, il quale chiuda l'era delle rivoluzioni;

Considerando che il solo Governo che possa adempiere queste condizioni è quello di Sardegna, per la forza, per le tradizioni, per la organizzazione, per le istituzioni e pei sacrifici fatti alla causa italiana;

Considering that the unanimous and decided vote of these people is for a strong government which may assure them national independence, civil equality and liberty.

Considering that their first need is to establish a stable and definite order for the nation, thus ending the era of revolutions;

Considering that the only government which can fulfil these conditions is that of Sardinia, through its power, its traditions, its organizations, through its institutions and the sacrifices made for the Italian cause;

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[1] *Le Assemblee*, vol. 1, p. 397. The vote was by secret ballot and unanimous.

Noi, rappresentanti i popoli delle Romagne,

Dichiariamo:

Che i popoli delle Romagne vogliono l'annessione al Regno Costituzionale di Sardegna sotto lo scettro di Vittorio Emanuele II.

We, representing the people of Romagna,

Declare:

That the people of Romagna wish for annexation to the Constitutional Kingdom of Sardinia, under the sceptre of Victor Emanuel II.

## *Reply of King Victor Emanuel to the Delegates Presenting the Vote of the People of Romagna* [1]

Sono grato a' voti de'Popoli delle Romagne di cui voi, o signori, siete gl'interpreti verso di me. Principe cattolico, serberò in ogni evento profonda ed inalterabile riverenza verso il Supremo Gerarca della Chiesa. Principe italiano, debbo ricordare che l'Europa, riconoscendo e proclamando che le condizioni del vostro paese ricercavano pronti ed efficaci provvedimenti, ha contratto con esso formali obbligazioni. Accolgo impertanto i vostri voti, e forte del diritto che questi mi conferiscono, propugnerò la causa vostra innanzi alle grandi Potenze. Confidate nel loro senno e nella loro giustizia; confidate nel generoso patriottismo dell'Imperatore dei Francesi, che vorrà compiere quella grande opera di riparazione, alla quale pose si potentemente la mano e che gli ha assicurato la riconoscenza dell'Italia tutta. . . . L'Europa sentirà che è comune dovere, com'è comune interesse, di chiuder l'êra dei rivolgimenti italiani procurando soddisfazione ai legittimi voti.

I am grateful for the votes of the people of Romagna, of which you, Gentlemen, are the interpreters to me. As a Catholic prince, I will preserve in any event profound and unalterable reverence towards the Supreme Hierarch of the Church. As an Italian prince, I must remember that Europe, acknowledging and proclaiming that the conditions of your country demand prompt and efficient supervision, has contracted with it some formal obligations. I welcome, however, your votes and, strong in the right which these confer upon me, I will defend your cause before the great Powers. Trust in their wisdom and in their justice, trust in the generous patriotism of the Emperor of the French, who would like to see finished that great work of reparation to which he so powerfully gave his hand, and which has assured for him the gratitude of all Italy. . . . Europe will feel that it is a common duty, as it is a common interest, to close the era of Italian upheaval by giving satisfaction to legitimate desires.

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[1] *Le Assemblee*, vol. 1, p. 404.

## PARMA AND PIACENZA, 1859

### *The Sardinian Governor Resigns Power to Giuseppe Manfredi as Provisional Governor. August* 8, 1859 [1]

POPOLI DI PARMA E DI PIACENZA!

Le innumerevoli e solenni prove da voi fornite di volere a prezzo di qualunque sacrificio essere per sempre associati ai destini di quello Stato italiano che rappresenta i grandi principi dell'indipendenza nazionale e della libertà, il silenzio serbato nei preliminari di pace di Villafranca sulle sorti di queste provincie, e sopratutto le assicurazioni che io ebbi da un illustre ministro, il quale a sua volta poteva e doveva credersi autorizzato a darle, non mi lasciavano alcun dubbio che i vostri desideri non fossero irremovibilmente adempiuti, ed io ve ne dava con somma gioia il faustissimo annunzio. Pur non di meno tutte le vostre proteste ed i fatti più eloquenti non hanno ancora abbastanza persuaso qualche Potenza della sincerità ed universalità dei vostri voti e della incrollabile fermezza dei propositi vostri.

E dell'interesse e dell'onore di queste nobili e valorose provincie, è dell'interesse e dell'onore d'Italia, che i vostri immutabili divisamenti si spieghino ancora una volta senza che alcun pretesto possa mettersi in campo da chicchessia sulla libera manifestazione della volontà del popolo, unica, legittima fonte d'ogni potere civile. Ed è per rendere nuovo omaggio a

PEOPLE OF PARMA AND PIACENZA!

The innumerable and solemn proofs furnished by you of your wish, at the price of any sacrifice, to be ever associated with the destinies of that Italian State which represents the great principles of national independence and liberty, the silence observed in the Preliminaries of Peace at Villafranca regarding the destiny of these provinces, and, above all, the assurance which I had from an illustrious minister who could and ought to consider himself authorized to give them, leaves no doubt that your wishes were absolutely fulfilled, and I gave you with great joy, the happy announcement. But, notwithstanding your protestations and the more eloquent facts, some of the Powers are not sufficiently persuaded of the sincerity and universality of your will, and of the unshakable firmness of your purpose.

It is to the interest and honor of these noble and valorous provinces, and to the interest and honor of Italy that your immutable decisions should be again expressed without any possibility of reproach as to the free manifestation of the popular will, which is the sole legitimate source of all civil power. It is to render new homage to this great principle, to obviate

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[1] *Le Assemblee,* vol. 1, p. 653.

questo grande principio, per allontanare ogni sospetto di pressione o d'influenza e disarmare la vigile insistente calunnia, che il Governo del Re nella sua lealtà mi ritira quel mandato di cui mi rese tanto facile l'esercizio il vostro immenso amor patrio, la vostra ammirabile saggezza, l'ordine perfetto costantemente da voi mantenuto.

Non potendo rassegnare all'istante questi poteri nelle mani del popolo, che solo ha diritto a riprenderli, io, ritirandomi con le Autorità piemontesi, li confido a persona che per ogni rispetto gode meritamente la vostra piena fiducia; . . .

Intorno a questo capo provvisorio, che unico io scelsi perchè i tempi difficili richieggono unità di direzione e d'impulso; intorno a questo animoso e illuminato patriota, l'avvocato Giuseppe Manfredi, vostro concittadino, stringetevi tutti, ponendo in cima ai vostri pensieri gl'interessi di queste forti provincie, gl'interessi d'Italia che ansiosamente sopra di voi tiene fisso lo sguardo.

. . . . .

*Parma, 8 agosto* 1859

Pallieri.

the last suspicions of pressure or influence and to disarm ever watchful calumny, that the Government of the King, in its loyalty, takes from me the mandate which has been so easy for me to carry out, thanks to your great love of country, your admirable sagacity and the perfect order which you have constantly maintained.

As I cannot at once resign the power into the hands of the people, who alone have the right to exercise it, on retiring with the Piedmontese authority, I shall resign it into the hands of a person who in all respects merits your full trust; . . .

So for this provisional head, whom I chose only because these difficult times require unity of direction and initiative, I expect you to rally around the animated and intelligent patriot, Advocate Guiseppe Manfredi, your fellow-citizen, holding as the highest object of your thoughts the interests of Italy which anxiously turns her fixed gaze upon you.

. . . . .

*Parma, August* 8, 1859

Pallieri.

## *Convocation of the People of Parma in Popular Assemblies, for a Plebiscite. August* 8, 1859[1]

### IN NOME DEL POPOLO DELLE PROVINCIE PARMENSI

### IL GOVERNO PROVVISORIO

L'unanime votazione fattasi nel 1848 da queste italiane provincie;

La fermezza ammirabile con cui, disprezzando le lusinghe ed i terrori di un Governo instaurato dallo straniero, costanti si mantennero nel loro proposito;

Il nobile sacrificio della vita fatto dai numerosi volontari che allo aprirsi della guerra accorsero nelle file dell' esercito italiano del leale Re Vittorio Emanuele;

La irresistibile manifestazione del risentimento popolare, dinanzi a cui dovette cedere e ritirarsi il caduto Governo;

Gli atti con cui rinnovarono l'atto d'unione gli Anzianati tutti, composti d'uomini eletti dal Governo caduto;

Le adesioni spontanee di tutti i Corpi e di tutte le Autorità costituite;

Il giuramento al Re Vittorio Emanuele da tutti i pubblici funzionari prestato;

Le popolari sottoscrizioni che, quantunque in pochi centri raccolte, raggiunsero in brevi giorni un altissimo numero;

Sono questi altrettanti fatti per cui

### IN THE NAME OF THE PEOPLE OF THE PROVINCES OF PARMA

### THE PROVISIONAL GOVERNMENT

The unanimous vote cast in 1848 by these Italian provinces:

The admirable firmness with which, despising the flattery and terrors of a government established by the foreigner, they have nevertheless persisted in their purpose:

The noble sacrifice of life made by numerous volunteers who at the beginning of the war flocked to the ranks of the Italian army of the loyal King Victor Emanuel;

The irresistible manifestation of the popular wrath before which the fallen Government was obliged to yield and withdraw.

The acts by which were renewed the act of union of the Elders, composed of men elected by the fallen Government;

The spontaneous adhesion of all Corporations and constituted Authorities;

The oath to King Victor Emanuel given by all public functionaries;

The popular subscriptions, which though gathered in only a few places, reached, in a few days, a great number;

These are the additional facts

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[1] *Le Assemblee,* vol. 1, p. 655.

irremovibile si appalesa il proposito di queste italiane provincie;

Considerando tuttavia che, per togliere un ultimo pretesto agli eterni nostri avversari e far ancora una volta consacrare il principio di unione dalla sovranità popolare, unica, leggittima fonte di ogni civile potere, è opportuna una nuova solenne votazione col suffragio universale;

DECRETA:

Art. 1. Le popolazioni delle Provincie Parmensi sono convocate solennemente in comizi il giorno 14 di questo mese per accettare o respingere il plebiscito seguente:

" Le popolazioni delle Provincie Parmensi vogliono essere unite al Regno di Sardegna sotto il Governo costituzionale del Re Vittorio Emanuele II."

Art. 2. Sono chiamati a votare tutti gli abitanti maschi delle Provincie Parmensi che abbiano l'età di 21 anni e godano dei diritti civili.

Art. 3. Ricevuto il presente Decreto, i Podestà di ciascun Comune apriranno immediatamente due registri in carta libera, l'uno di accettazione, l'altro di rifiuto del plebiscito. Nelle 48 ore del ricevimento del Decreto stesso, i pretori o loro supplenti si trasferiranno ai capiluoghi dei Comuni della loro giurisdizione per invigilare e render certa la formazione e l'aprimento dei registri.

In caso d'impedimento o d'assenza del Podestà, i pretori delegheranno o un consigliere comunitativo o un notabile del Comune a farne le veci.

which reveal the firmness of purpose of these Italian provinces: Considering however, that, to prevent a final protest from our perpetual adversaries and to reconsecrate the principle of union by the popular sovereignty, the only legitimate source of all civilized powers, a new and solemn vote by universal suffrage is expedient;

DECREES:

Article 1. That the population of the Provinces of Parma are solemnly convoked to the polls on the 14th day of the month to accept or reject the following plebiscite:

" The people of the Provinces of Parma wish to be united to the Kingdom of Sardinia under the constitutional Government of King Victor Emanuel II."

Art. 2. That all the male inhabitants of the Provinces of Parma, 21 years old, enjoying civil rights, are summoned to vote.

Art. 3. That upon receiving the present decree, the *Podestà* of each Commune shall immediately open two registers, one for acceptation, the other for refusal of the plebiscite. Within 48 hours of receiving the decree, the *praetors,* with their assistants, shall transfer themselves to the chief town of the communes of their jurisdiction to watch over and render certain the installment of the registers.

In case of obstacles or in the absence of the *Podestà,* the *praetors* shall delegate either a councillor or a notable of the Commune to take his place.

Art. 4. I registri dal 14 a tutto il 21 di questo mese rimarranno aperti nell'Ufficio podestariale dalle ore 8 del mattino alle 6 della sera.

I cittadini scriveranno o faranno scrivere, caso che non sapessero, il voto rispettivo sopra uno dei registri, con menzione del loro nome e cognome.

Art. 5. Spirato il termine stabilito nell'articolo precedente, entro 24 ore al più tardi sarà constatato il numero dei voti espressi, e ciascun registro verrà chiuso e trasmesso dall'ufficiale depositario all'Intendente generale o Intendente della Provincia. La numerazione dei voti, la chiusura e la trasmissione dei registri tenuti dai Podestà sarà invigilata dai pretori.

Art. 6. Una Commissione composta, in Parma, Piacenza, Pontremoli e Borgotaro, del presidente e del regio procuratore dei Tribunali civili e correzionali rispettivi e del notaio più anziano del luogo; e in Borgo San Donnino, del vice-presidente e del regio vice-procuratore del Tribunale civile e correzionale di Parma e del notaio più anziano del luogo, farà immediatamente l'enumerazione dei voti espressi in ciascuna Provincia. Il risultato delle operazioni sarà trasmesso col mezzo più sollecito al presidente della Corte Suprema di revisione.

Art. 7. La numerazione generale dei voti si farà in Parma da una Commissione composta del presidente e del regio procuratore generale presso la Corte Suprema di revisione, dell'-

Art. 4. That the registers shall remain open from the 14th to the 21st instant in the office of the *Podestà,* from 8 A.M. to 6 P.M.

The citizens shall write, or in case they cannot write, shall cause to be written, their respective wishes upon one of the registers, giving their names and surnames.

Art. 5. At the end of the time stated in the preceding article, within 24 hours at the latest, the number of votes shall be examined, and each register shall be closed and transmitted by the official depositary to the Intendent General or the Intendent of the Province. The counting of the votes, the closing and transmission of the registers held by the *Podestà* shall be supervised by the *praetors.*

Art. 6. A Commission composed, in Parma, Piacenza, Pontremoli and Borgotaro, of the President and of the Attorney General of the civil and correctional courts respectively, and of the eldest notary of the place; and in Borgo San Donnino, of the Vice-President and of the Assistant Attorney General of the civil and correctional courts of Parma and the eldest notary of the place, shall count at once the votes of each province. The result shall be carefully transmitted to the President of the Supreme Court of Revision.

Art. 7. The general counting of votes shall be made in Parma by a Commission composed of the President and Royal Attorney General of the Supreme Court of Revision, of archivista dello Stato in Parma, del presidente e del segretario della Camera notarile in Parma.

Il risultato sarà reso noto dalla Commissione stessa.

Art. 8. Le spese fatte dalla Amministrazione comunale e dai pretori o altri funzionari o impiegati saranno pagate, dietro dichiarazione degli stessi, dagli esattori delle contribuzioni dirette in ciascuna Provincia, salvo il riconoscersi la legittimità delle spese stesse dalla Camera dei conti.

*Parma,* 8 *agosto* 1859.

Manfredi.

the Keeper of the State Archives of Parma, of the President and of the Secretary of the Chamber of Notaries in Parma. The result shall be made public by the Commission.

Art. 8. The expenses of the Communal Administration, of the *praetors* and other functionaries or employees shall be paid upon statement of the aforesaid, by the collectors of the direct taxes in each Province, subject to the correction of the expenses by the Chamber of Accounts.

*Parma, August* 8, 1859.

Manfredi.

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## *Convocation of the Electoral Constituencies for the Election of Deputies to a Representative Assembly. August* 30, 1859[1]

### GOVERNO NAZIONALE DELLE PROVINCIE MODENESI E PARMENSI

### IL DITTATORE

Veduto l'articolo 7 del decreto in data del 19 agosto volgente, col quale è disposto che entro il 29 dello stesso mese debbono essere terminate le liste degli elettori politici nelle provincie parmensi,

DECRETA:

Art. 1. I Collegi elettorali per la nomina dei deputati all'Assemblea dei rappresentanti del popolo nelle provincie parmensi sono convocati pel dì 4 del prossimo venturo mese di settembre.

Art. 2. L'Assemblea è convocata

### THE NATIONAL GOVERNMENT OF THE PROVINCES OF MODENA AND PARMA

### THE DICTATOR

In view of Article 7 of the decree dated August 19th, which orders that by the 29th instant the lists of the political electors of the provinces of Parma should be finished.

DECREES:

Article 1. The Electoral Colleges for the election of Deputies to the Assembly of Representatives of the People of the Provinces of Parma are convened for the 4th of next September.

Art. 2. The Assembly is con-in Parma pel dì 7 del mese di settembre suddetto.

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[1] *Le Assemblee,* vol. 1, p. 659. The electoral law, analogous to that of Modena and of Bologna, was published in the decree of August 18, 1859, at Piacenza.

ART. 3. Il Direttore dell'interno nelle provincie parmensi è incaricato dell'esecuzione del presente decreto.

*Dato a Parma, li* 30 *agosto* 1859
FARINI.
*Il Direttore dell'interno*
ARMELONGHI

vened in Parma for the 7th day of September.

ART. 3. The Director of the Interior of the Provinces of Parma is charged with the execution of the present decree.

*Given at Parma, August* 30*th,* 1859.
FARINI.
*Director of the Interior,*
ARMELONGHI

### *Decree of the Representative Assembly of the States of Parma Dethroning the House of Bourbon. September* 11, 1859[1]

L'ASSEMBLEA

dichiara che la dinastia Borbonica non può restituirsi in questi Stati senza conculcare i diritti di questi popoli, senza offesa al sentimento nazionale, senza pericolo di nuove e più grandi commozioni per tutta Italia.—Dichiara per ciò non potere, nè richiamarsi nè riceversi la dinastia Borbonica a regnare nuovamente sulle Provincie Parmensi.

THE ASSEMBLY

declares that the Bourbon Dynasty can not be restored in these States without trampling upon the rights of this people, without offending the national sentiment, without danger of new and greater uprisings in all Italy. For this reason it is declared that the Bourbon Dynasty can not be recalled or taken back to reign again over the Provinces of Parma.

### *Decree of the same Assembly for Union with the Constitutional Kingdom of Sardinia. September* 12, 1859[2]

L'ASSEMBLEA DEI RAPPRESENTANTI DELLE PROVINCIE PARMENSI:

Veduti gli atti di dedizione di queste provincie al Regno Sardo nell'anno 1848;

THE ASSEMBLY OF THE REPRESENTATIVES OF THE PROVINCES OF PARMA:

In view of the dedicatory acts of these Provinces to the Kingdom of Sardinia in 1848;

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[1] *Le Assemblee,* vol. 1, p. 704. The vote was by secret ballot and unanimous.

[2] *ibid.,* vol. 1, p. 715. The vote was by secret ballot and unanimous.

Vedute le recenti unanimi deliberazioni dei Municipi dello Stato;

Veduto il risultamento della votazione diretta universale delle popolazioni di queste provincie per la aggregazione loro al Regno di Sardegna;

Conferma e proclama l'unione delle Provincie Parmensi al Regno costituzionale della dinastia di Savoia.

In view of the recent unanimous deliberations of the Municipalities of this State;

In view of the result of the direct and universal vote of the population of these provinces for their union with the Kingdom of Sardinia;

Confirms and proclaims the union of the Provinces of Parma with the Constitutional Kingdom of the Dynasty of Savoy.

## Lombardy, 1859

### *The Congregation and the Municipality of Milan Attest the Unanimous Desire of the Population to Renew the Pact of* 1848. *June* 5, 1859[1]

Sire!

Il Corpo municipale di Milano è orgoglioso d'usare uno de suoi più preziosi privilegi, quello d'essere l'interprete naturale de'suoi concittadini nelle circostanze straordinarie, quando la vita politica e la comunale si confondono e si completano a vicenda, per testimoniare alla Maestà Vostra l'unanime voto della popolazione.

Essa vuol rinnovare il patto del'48 e riproclamare in cospetto della Nazione un fatto politico che undici anni di fidente aspettazione e d'intemerata lealtà avevano maturato in tutte le intelligenze e in tutti i cuori. L'annessione della Lombardia al Piemonte fu proclamata stamane quando ancora le artiglierie del nemico potevano fulminarci e suoi battaglioni sfilavano

Sire!

The Municipal Body of Milan is proud to exercise one of its most precious privileges, that of being the natural interpreter of its fellow citizens in these extraordinary circumstances, in which the political and the communal life so mingle and complete each other, and to attest to Your Majesty the unanimous desire of the population.

It is their desire to renew the pact of 1848 and to proclaim again before the Nation a political fact which eleven years of faithful waiting and of fearless loyalty have brought to maturity in all minds and in all hearts. The annexation of Lombardy to Piedmont was proclaimed this morning while yet the enemy artillery might have been turned upon

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[1] *Le Assemblee,* vol. 1, p. 263.

sulle nostre piazze. Siffatta unione è il primo passo sulla via del nuovo diritto pubblico che ridona alle nazioni l'arbitrio di sè medesime. L'eroico esercito di Vostra Maestà e quello del generoso vostro Alleato, che proclamò che l'Italia dev'essere libera dall'Alpi sino all'Adriatico, compiranno in breve la magnanima impresa.

Gradite intanto, Sire, l'omaggio che la città di Milano vi manda per mezzo nostro, e credete che una è la voce che esce da tutti i cuori, uno il grido nostro: *Viva il Re! Viva lo Statuto! Viva l'Italia!*

*Milano, il* 5 *giugno* 1859.

Gli assessori municipali: ALBERTO DI HERRA — MASSIMILIANO DE LEVA — FRANCESCO MARGARITA — GIOVANNI UBOLDI DE CAPEI — FABIO BORETTI — ACHILLE ROUGIER — SILVA, *segretario.*

us and while their battalions were marching across our squares. Such a union is the first step on the path of a new public law which gives back to the nations the arbitrament of their own destinies. The heroic army of Your Majesty and that of Your generous Ally, who proclaimed that Italy should be free from the Alps to the Adriatic, will shortly complete the magnanimous enterprise.

Until then, Sire, accept the homage which the city of Milan tenders you through us, and be assured that there is but one voice speaking from all hearts, but one cry: *"Long live the King! Long live the Constitution! Long live Italy!"*

*Milan, June* 5, 1859.

Municipal Assessors: ALBERTO DI HERRA — MASSIMILIANO DE LEVA — FRANCISCO MARGARITA — GIOVANNI UBOLDI DE CAPEI — FABIO BORELLI — ACHILLE ROUGIER — SILVA, *Secretary.*

### *The Communal Council of Milan Ratifies the Vote of the Municipal Congregation. June* 6, 1859[1]

Radunatisi oggi in via d'urgenza il Consiglio comunale di questa città, ed informato delle disposizioni prese dalla Congregazione municipale in conseguenza degli attuali straordinari eventi, il medesimo ha prese per acclamazione le seguenti deliberazioni, di cui la prima e la seconda fra le grida unanimi da parte dei numerosi

The Communal Council of the city summoned to-day in haste and informed of the resolution taken by the Municipality in consequence of the extraordinary events which have transpired, has adopted by acclamation the following resolutions, of which the first and the second were given with the unanimous acclama-

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[1] *Le Assemblee,* vol. 1, p. 264.

intervenuti di: *Viva il Re! Viva l'Italia! e Viva l'Imperatore Napoleone!*

I. Il Consiglio comunale approva l'operato della Congregazione municipale e fa proprio l'indirizzo di omaggio da lei spedito a S. M. il Re Vittorio Emanuele II, incaricandola di far pervenire alla lodata M:S. un tale voto della civica rappresentanza.

. . . . .

*Milano, 6 giugno* 1859.

tions of the great number of those who attended: *"Long live the King! Long live Italy! and Long live the Emperor Napoleon!"*

I. The Communal Council approves the action of the Municipality and sanctions the address of homage sent by it to H. M. King Victor Emanuel II, instructing the congregation to send to Your Majesty a similar vote passed by the representatives of the citizens.

. . . . .

*Milan, June* 6, 1859.

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## *Proclamation of Victor Emanuel to the People of Lombardy* [1]

*Milano, 9 giugno* 1859.

POPOLI DI LOMBARDIA!

La vittoria delle armi liberatrici mi conduce fra Voi.

Ristaurato il diritto nazionale, i Vostri voti raffermano l'unione col mio regno, che si fonda nelle guarentigie del vivere civile.

. . . . .

*Dal Quartiere Generale principale in Milano.*

VITTORIO EMANUELE.

*June* 9, 1859.

PEOPLE OF LOMBARDY!

The triumph of the armies of liberation brings me amongst you.

The national right restored, your votes have reaffirmed the union with my kingdom, which is founded on the guarantees of civilized life.

. . . . .

*From the General Headquarters at Milan.*

VICTOR EMANUEL.

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[1] Zini, *Storia d'Italia*, vol. 2, pt. 2, p. 157.

# ITALIAN PLEBISCITES OF 1860–1870

## Tuscany and Emilia, 1860

### *Dispatch of Lord John Russell to Earl Cowley, British Ambassador at Paris, Containing the British Proposal of the "Four Points"*[1]

*Foreign Office, January* 15, 1860.

My Lord:

It appears from the present aspect of affairs, that either the Congress will not meet at all, or that, if it should meet, it must be divided by irreconciliable differences of opinion.

Between the doctrine that it will be the duty of a Congress to restore the authority of the Pope in Romagna, and the doctrine that no force ought to be used to impose a Government or Constitution on the people of Central Italy, there can be no agreement.

Her Majesty's Government, hopeless of arriving at any general consent by means of the Congress, have taken into their serious deliberation the possibility of devising some means by which the external and internal independence of Italy might, according to the preamble of the Treaty of Zurich, be placed upon solid and durable bases.

It is clear that the occupation of Rome and Bologna by the troops of France and Austria during a period of unprecedented length in the history of foreign occupations, has added a danger instead of creating a security. At Bologna, no sooner were the Austrian troops withdrawn, than the people of all classes, the highest as well as the lowest, abjured the temporal authority of the Holy See. At Rome the wise councils which have from time to time been given by the occupying Power have been rejected or neglected, and the basis of a beneficent administration, calculated to secure the affections of the people, has yet to be laid.

After the melancholy experience of ten years, ending in a sanguinary war between the two Powers which jointly occupied the Roman States, is it not time to resort to other means of pacification more consonant to the general law of Europe, less provocative of discontent, and less calculated to sow the seeds of war?

Her Majesty's Government are greatly encouraged in such an attempt by the communications they have received both from Paris and Vienna.

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[1] *British Parliamentary Papers,* Affairs of Italy [2636], p. 4.

In accepting the invitation of France to attend a Congress you were instructed to say, that " Her Majesty's Government, in adverting to the correspondence which has passed between the Governments of Great Britain and France since the signature of the Preliminaries of Villafranca, find that the Emperor of the French has repeatedly declared himself opposed to the employment of force for the purpose of restoring the Grand Duke of Tuscany and the Duke of Modena.

" Her Majesty's Government rely implicitly upon these declarations, and they consider that an interference by external force to restore the authority of the Pope in Romagna would be no less opposed to the views and intentions of the Emperor of the French, than forcible intervention in the Duchies."

When your Lordship read this despatch to Count Walewski, and placed a copy of it in his Excellency's hands, no exception was taken to this statement. On the contrary, you report that when you placed a copy of the despatch in Count Walewski's hands, his Excellency, in thanking you for the communication, expressed the pleasure which the assent of Her Majesty's Government gave him.

The accuracy of the representation of the intentions of the Emperor of the French, given in my despatch, is thus amply confirmed.

Upon this foundation, Her Majesty's Government rest their hope that propositions to the following effect might be accepted by the Emperor of the French: —

1. That France and Austria should agree not to interfere for the future by force in the internal affairs of Italy, unless called upon to do so by the unanimous assent of the Five Great Powers of Europe.

2. That in pursuance of this agreement the Emperor of the French should concert with His Holiness the Pope as to the evacuation of Rome by the troops of France. The time and manner of that evacuation to be so arranged as to afford the Papal Government sufficient opportunity to garrison Rome with the troops of His Holiness, and to take every precaution against disorder and outrage.

We trust that by previous arrangement and due preparation, the security of His Holiness might be fully provided for.

Arrangements to be made for the evacuation of Northern Italy by the troops of France at a convenient period.

3. The internal government of Venetia not to be in any way matter of negotiation between the European Powers.

4. Great Britain and France to invite the King of Sardinia to agree not to send troops into Central Italy until its several States and Provinces shall, by a new vote of their Assemblies, after a new election, have solemnly declared their wishes as to their future destiny. Should that decision be in favour of

annexation to Sardinia, Great Britain and France will no longer require that Sardinian troops should not enter those States and Provinces.

You will read this despatch to M. Baroche, and give him a copy of it.

I am, &c.

(Signed) J. Russell.

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*Dispatch of Lord John Russell to Sir James Hudson, British Minister at Turin* [1]

*Foreign Office, February* 6, 1860.

Sir:

You will observe that the French Government, in agreeing to the fourth proposal of Her Majesty's Government, make a reserve as to the mode in which the vote of the people of Central Italy is to be taken.

So far as Her Majesty's Government are concerned, our views would be satisfied if the actual law or practice of Tuscany, Modena, Parma, and Romagna were observed.

We have never adopted universal suffrage for ourselves, and if that suffrage is proposed by France, we should leave the different States and Provinces to decide for themselves, both as to who should be the electors, and as to the mode of election.

We have chiefly in view an election, not carried by intimidation, nor partaking of the excitement of the first outburst of the national feeling for independence.

I am, &c.

(Signed) J. Russell.

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*Proposition made by Thouvenel to Talleyrand for Transmission to the Sardinian Government* [2]

*Paris, le* 24 *février*, 1860.

M. le Baron,

. . . . .

En calculant toutes choses, M. le Baron, avec la ferme intention de rechercher entre toutes les solutions

*Paris, February* 24, 1860.

M. le Baron,

. . . . .

Taking everything into consideration, M. le Baron, with the firm intention of selecting among all solu-

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[1] *British Parliamentary Papers,* Affairs of Italy [2636], p. 36.

[2] *Ibid.* [2638], pp. 10–12.

celle qui se concilie le mieux avec les circonstances pressantes du moment, et les convenances d'un avenir plus calme, on arrive à reconnaître qu'il est grand temps de s'arrêter à une combinaison que l'on puisse offrir à l'agrément de l'Europe, avec quelque chance de la lui faire accepter, et qui conserverait à la Sardaigne l'entier exercice de l'influence normale qu'elle a le droit de revendiquer dans la Péninsule.

Cette combinaison, dans l'opinion mûrement pesée du Gouvernement de l'Empereur, serait la suivante:

1. Annexion complète des Duchés de Parme et de Modène à la Sardaigne.

2. Administration temporelle des Légations de la Romagne, de Ferrare, et de Bologne, sous la forme d'un Vicariat exercé par Sa Majesté Sarde au nom du Saint Siége.

3. Rétablissement du Grand Duché de Toscane dans son autonomie politique et territoriale.

Dans cet arrangement l'assimilation bornée à la Lombardie, et aux Duchés de Parme et de Modène, ne serait plus une oeuvre à laquelle la Sardaigne serait tenue de consacrer exclusivement tous efforts; le Cabinet de Turin conserverait sa liberté d'action et pourrait l'employer à consolider aussi, pour sa part, la tranquillité en Italie, pendant qu'il organiserait solidement en un Royaume compact, les territoires ajoutés aux possessions héréditaires du Roi Victor Emanuel.

Le Vicariat s'accorderait avec

tions the one best suited to the pressing circumstances of the moment and the prospects of a calmer future, it will be admitted that it is high time to agree on a combination that may be offered to Europe with some chance of being accepted, and which would preserve to Sardinia the full exercise of the normal influence which she has a right to claim in the Peninsula

Such a combination, in the opinion, maturely weighed, of the Government of the Emperor, is as follows:

1. Complete annexation of the Duchies of Parma and Modena to Sardinia.

2. Temporal administration of the Legations of the Romagna, of Ferrara, and Bologna, under the form of a Vicariat exercised by His Sardinian Majesty, in the name of the Holy See.

3. Re-establishment of the Grand Duchy of Tuscany in its political and territorial autonomy.

In this arrangement, the assimilation confined to Lombardy and to the Duchies of Parma and Modena would no longer be a work to which Sardinia would be bound to devote all her efforts exclusively; the Turin Cabinet would preserve its liberty of action and might exercise it in establishing also, for its part, tranquillity in Italy, while organizing firmly in a compact kingdom the territories added to the hereditary possessions of King Victor Emanuel.

The Vicariat would be in harmony

l'esprit municipal qui est une tradition séculaire dans les Romagnes, comme avec l'influence naturelle que doit désirer exercer la Puissance devenue maîtresse de la plus grande partie du bassin du Po.

. . . . .

Ce que j'ai dit, M. le Baron, de la nécessité de prévenir les dangers auxquels la Sardaigne se trouverait exposée, si elle poursuivait d'autres agrandissements, s'applique plus particulièrement à la Toscane. L'idée de l'annexion du Grand Duché, c'est-à-dire, de l'absorption dans un autre Etat d'un pays doté d'une si belle et si noble histoire, et si attaché jusqu'ici à ses traditions, ne peut parvenir assurément que d'une aspiration dont il est impossible au Gouvernement de l'Empereur de méconnaître le danger, et qu'il est loin de croire partagée par la masse de la population. Cette aspiration il ne faut pas s'y tromper, quelles que soient aujourd'hui, je n'en doute pas, les intentions correctes du Gouvernement de Sa Majesté Sarde, révèle, de la part de ceux qu'elle entraîne, une arrière-pensée de guerre contre l'Autriche pour la conquête de la Vénétie, et une arrière-pensée, sinon de révolution, tout au moins de menace pour la tranquillité des Etats du Saint Siège, et du Royaume des Deux Siciles. L'opinion ne s'y tromperait, ni en Italie ni ailleurs, et les questions qu'il s'agit d'apaiser ne feraient que se rouvrir avec une violence nouvelle.

with the municipal spirit which is a secular tradition in the Romagnas, as well as with the natural influence which the Power ought to wish to exercise that has become mistress of the greater portion of the valley of the Po.

. . . . . .

What I have said, M. le Baron, of the necessity of anticipating the dangers to which Sardinia might be exposed if she sought further aggrandizements, is more particularly applicable to Tuscany. The idea of the annexation of the Grand Duchy, that is to say, the absorption in another State of a land gifted with so beautiful and so noble a history, and so attached, hitherto, to its traditions, cannot assuredly emanate except from an aspiration, the danger of which it is impossible for the Government of the Emperor to disown, and which it is far from believing to be shared by the mass of the population. That aspiration, there must be no delusion, whatever may be at the present moment, I doubt not, the correct intentions of the Sardinian Government, reveals on the part of those whom it carries along with it an *arrière-pensée* of a war against Austria for the conquest of Venetia, and an *arrière-pensée,* if not of revolution, at least of menace for the tranquillity of the States of the Holy See and of the Kingdom of the Two Sicilies. Public opinion would not be deceived in Italy or elsewhere, and the questions which it is our object to settle, would only be reopened with fresh violence.

Le Gouvernement de l'Empereur, sans se dissimuler les difficultés qui resteraient à résoudre pour amener le triomphe de la situation, à laquelle, si le Cabinet de Turin y adhérait, il consacrerait ses efforts les plus énergiques et les plus persévérantes, à la confiance que ces difficultés ne seraient pas insurmontables. Certain d'ailleurs d'opérer sur une base de nature à satisfaire complètement la France et la Sardaigne, à pacifier l'Italie pour une longue période, et enfin à ne contrarier d'une façon trop absolue aucun des intérêts que l'Europe a le droit et le devoir de placer moralement sous la sauvegarde, le Gouvernement de Sa Majesté non seulement n'hésiterait pas à s'engager à prendre dans une Conférence ou dans un Congrès la défense d'une semblable combinaison, mais il la proclamerait comme étant inattaquable, à ses yeux, par une intervention étrangère. Dans cette hypothèse donc, la Sardaigne serait sure de nous avoir avec elle, et derrière elle. Vous êtes autorisé à déclarer formellement à M. le Comte de Cavour.

Ai-je besoin maintenant, M. le Baron, de bien longs détails pour expliquer quelle serait notre attitude si le Cabinet de Turin, libre dans son option, préférait courir tous les hasards que j'ai signalés en le conjurant de les éviter? L'hypothèse dans laquelle le Gouvernement de Sa Majesté Sarde n'aurait qu'à compter sur ses seules forces, se développe, en quelque sorte, d'elle-même, et il me serait pénible de m'y appesantir. Je

The Government of the Emperor, without overlooking the difficulties which would remain to be overcome to secure the triumph of the solution to which, if the Turin Cabinet would assent, it would devote its most energetic and persevering efforts, entertains the confidence that those difficulties would not be insurmountable. Certain, moreover, of operating upon a basis of a nature to satisfy completely France and Sardinia, to pacify Italy for a long period, and finally, not to clash in too absolute a manner with any of the interests which Europe has the right and duty morally to watch over, the Government of His Majesty would not only not hesitate to engage to take, in a Conference or Congress, the defence of such an arrangement, but it would proclaim it as unassailable, in its eyes, by foreign intervention. In this hypothesis, then, Sardinia would be sure of having us with her and behind her. You are authorized to declare this formally to Count Cavour.

Do I need now, M. le Baron, very long details to explain what would be our attitude if the Turin Cabinet, free in its option, should prefer to run all the risks which I have pointed out while advising it to avoid them? The hypothesis in which the Government of His Sardinian Majesty would have to rely only on its own forces develops itself, so to say, naturally, and it would be painful for me to dwell upon it. I therefore confine myself to say-

me borne donc à vous dire, par ordre de l'Empereur, que nous ne consentirions à aucun prix à assumer la responsabilité d'une pareille situation. Quelles que soient ses sympathies pour l'Italie, et notamment pour la Sardaigne, qui a mêlé son sang au nôtre, Sa Majesté n'hésiterait pas à témoigner de sa ferme et irrévocable résolution de prendre les intérêts de la France pour guide unique de sa conduite. . . .

Je ne terminerai pas cette dépêche, M. le Baron, sans vous dire quelques mots de la Savoie et du Comté de Nice. Le Gouvernement de l'Empereur a regretté la discussion prématurée et inopportune dont cette question a été l'objet de la part des journaux, mais il ne saurait ne pas la prendre pour l'expression d'une opinion qui se fortifie chaque jour et avec laquelle il lui faut compter. Des traditions historiques qu'il est inutile de rappeler ont accrédité l'idée que la formation d'un Etat plus puissant au pied des Alpes serait défavorable à nos intérêts, et bien que dans la combinaison dévéloppée dans cette dépêche l'annexion de tous les Etats de l'Italie Centrale à la Sardaigne ne fût pas complète, il est certain qu'au point de vue des relations extérieures, elle équivaudrait en réalité à un résultat analogue. Les mêmes prévisions, si éloignées qu'elles soient assurément, réclament les mêmes garanties, et la possession de la Savoie et du Comté de Nice, sauf les intérêts de la Suisse, que nous désirons toujours prendre en considération, se présente aussi à

ing, by the Emperor's orders, that we would not consent, at any price, to take upon ourselves the responsibility of such a situation. Whatever may be his sympathies for Italy, and especially for Sardinia, which has mingled its blood with ours, His Majesty would not hesitate to evince his firm and irrevocable resolve to take the interests of France as the sole guide of his conduct. . . .

I shall not conclude this despatch, M. le Baron, without saying a few words respecting Savoy and the County of Nice. The Government of the Emperor has regretted the premature and inopportune discussion of this question in the public journals: but it cannot refrain from taking it as the expression of an opinion which daily gains in strength, and with which it must deal. Historical traditions, which it is needless to recall, have accredited the idea that the formation of a more powerful State at the foot of the Alps would be unfavourable to our interests; and although, in the arrangement developed in this despatch, the annexation of all the States of Central Italy to Sardinia should not be complete, it is certain that in the point of view of external relations it would be equivalent, in reality, to an analogous result. The same provisions, however distinct they may actually be, claim the same guarantees; and the possession of Savoy and of the County of Nice, with a reservation for the interests of Switzerland, which we always desire

nous, dans cette hypothèse, comme une nécessité géographique pour la sûreté de nos frontières. Vous devrez appeler sur ce point l'attention de M. Comte de Cavour, mais vous lui déclarerez, en même temps, que nous ne voulons pas contraindre la volonté des populations, et que le Gouvernement de l'Empereur, en outre, ne manquerait pas, lorsque le moment lui paraîtrait venu, de consulter préalablement les Grandes Puissances de l'Europe, afin de prévenir une fausse interprétation des raisons qui dirigeraient sa conduite.

Vous voudrez bien lire cette dépêche à M. le Comte de Cavour, et lui en remettre une copie.

Agréez, &c.
(Signé) Thouvenel.

to take into account, also presents itself to us in that hypothesis as a geographical necessity for the safety of our frontiers.

You must, therefore, call the attention of Count Cavour to this point; but you will state to him, at the same time, that it is not our wish to constrain the will of the populations, and that the Government of the Emperor, moreover, would not fail, when the moment should appear to it to have arrived, to consult first the Great Powers of Europe, so as to prevent a false interpretation of the reasons that would direct its conduct.

You will please read this despatch to Count Cavour, and leave him a copy.

I beg, etc.
(Signed) Thouvenel.

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## *Dispatch of Cavour to the Governors of Emilia and Tuscany, Concerning the Proposition made by the French Government* [1]

*A S. E. il signor barone Ricasoli, Presidente del Governo della Toscana, Firenze; ed a S. E. il sig. cav. Farini, Governatore delle Provincie dell' Emilia, Modena.*

*Torino, li 29 Febbraio* 1860.

Eccellenza,

Il barone di Talleyrand, per ordine del Governo di Francia, mi ha dato ieri lettura e copia del dispaccio che mi pregio di comunicare qui unito alla E. V. Esso contiene l'esposizione delle idee dell'Imperatore dei Fran-

*To H. E. Baron Ricasoli, President of the Tuscan Government, Florence; and to H. E. Cav. Farini, Governor of the Provinces of Emilia, Modena.*

*Turin, February* 29th, 1860.

Excellency:

Baron Talleyrand, by order of the French Government, gave me yesterday the text and copy of the dispatch which I have the honor to remit to Your Excellency, here enclosed. It contains a statement of the ideas of

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[1] Zini, v. II, pt. 2, document No. 259 C.

cesi intorno all'assetto da darsi alle cose dell'Italia centrale, idee che si riassumono nelle tre proposizioni seguenti;

I Ducati di Parma e Modena verrebbero immediatamente riuniti al Piemonte senza interrogare nuovamente il suffragio popolare.

Le Romagne formerebbero un Vicariato posto sotto l'alta sovranità della S. Sede, e governate da S. M. che assumerebbe tosto l'amministrazione.

La Toscana poi sarebbe costituita in regno separato sotto un principe liberamente eletto dalla popolazione.

Il Governo Francese non esprime alcuna preferenza intorno alla scelta del futuro sovrano, ma da verbali ed autentiche assicurazioni mi consta che la elezione di un Principe di Casa Savoia non incontrerebbe per parte della Francia opposizione alcuna.

Dopo aver presi gli ordini di S. M., ho risposto al barone di Talleyrand, che il Governo del Re dal canto suo non moveva difficoltà contro il divisato assestamento, e che, trasmettendo ai Governi della Toscana e dell'Emilia le proposizioni sovraesposte, le avrebbe confidate al senno degli uomini che reggono la cosa pubblica in quei paesi.

A questo fine io mi rivolgo all'E. V. ed io non dubito che il Governo della Toscana (della Emilia) nel prendere notizia dell'annesso documento, considererà che i consigli dati alla Toscana (Emilia) provengono dal generoso alleato a cui l'Italia è in gran

the French Emperor regarding the form to be given to the affairs of Central Italy, ideas summed up in the three following propositions:

The Duchies of Parma and Modena would be immediately united to Piedmont without again consulting the popular vote.

The States of Romagna would be formed into a Vicariate placed under the high sovereignty of the Holy See, and governed by H. M. who would assume at once the administration.

Tuscany would be made into a separate Kingdom, under a Prince freely elected by the people.

The French Government does not express any preference regarding the choice of the future sovereign, but from verbal and authentic information I am assured that the election of a Prince of the House of Savoy would meet with no opposition on the part of France.

After having taken his Majesty's orders, I replied to Baron Talleyrand, that the Government of the King offered no difficulty in the way of the proposed adjustment, and that, submitting the above mentioned propositions to the Governments of Tuscany and Emilia, I entrust them to the good sense of the men who manage public affairs in those countries.

To this end I turn to Your Excellency and I do not doubt that the Government of Tuscany (of Emilia) in taking notice of the enclosed document, will consider that the advice given to Tuscany (Emilia) comes from the generous ally to whom Italy parte debitrice dei nuovi destini a cui è chiamata.

Quindi è che mentre il dispaccio del Gabinetto Francese non dev'essere fatto di pubblica ragione, sarà peraltro conveniente che non si ignori dal pubblico l'origine delle proposte che le trasmetto.

Io non dissimulo tuttavia che nè ella, nè i suoi colleghi non vorranno togliere sopra di sè la responsabilità di una deliberazione terminativa senza consultare nuovamente la Nazione che, per mezzo dell'Assemblea a ciò eletta, già aveva manifestati i suoi voti.

In contemplazione di un tale evento, S. M. il Re, riconoscendo l'opportunità di un nuovo voto, lascia all'E. V. piena balia intorno al modo d'interrogare la volontà delle popolazioni, e si affida che il Governo porrà ogni cura affinchè, come pel passato, le elezioni si compiano con tutta lealtà e sincerità.

Qualunque sia per essere il risultato di questo voto, il Governo del Re lo accetta anticipatamente, non avendo esso avuto altro intento mai fuorchè quello d'assicurare la pace e l'ordinamento d'Italia, mercè del legittimo soddisfacimento dei voti dei popoli.

Gradisca i sensi dell'alta mia considerazione.

C. Cavour.

is in great part indebted for the new destinies to which she is called.

Therefore, while the dispatch of the French Cabinet should not be submitted to the public, it would, however, be desirable not to keep the public in ignorance of the origin of the proposals which I transmit to you.

I realize, however, that neither you nor your colleagues would wish to assume the responsibility of a definite decision without consulting again the Nation which had already manifested their votes, by means of an Assembly elected for that purpose.

In consideration of such an event, H. M. the King, recognizing the advisability of a new vote, leaves Your Excellency full powers regarding the way of interrogating the will of the population, and trusts that the Government will use all possible care, as in the past, that the elections shall be held with loyalty and sincerity.

Whatever may be the result of this vote, the King's Government accepts it beforehand, never having had any other intention than that of insuring the peace and reconstruction of Italy, according to the legitimate satisfaction of the votes of the people.

Please accept the expression of my highest regard.

C. Cavour.

### *Reply of Ricasoli, Governor of Tuscany* [1]

*A S. E. il conte di Cavour, Presidente del consiglio dei Ministri ecc. Torino.*

*Firenze,* 4 *marzo* 1860.

ECCELLENZA, .

Ricevo el dispaccio che l'E V. mi ha fatto l'onore d'indirizzarmi da Torino in data del 29 prossimo perduto Febbraio, contenente l'esposizione delle idee di S. M. l'Imperatore dei Francesi intorno all'assetto da darsi alle cose dell'Italia centrale.

. . . . .

La Toscana ripugnerebbe certamente a lasciarsi assorbire da un paese straniero eterogeneo, che la volesse uguagliare a sè in una condizione di relativa barbarie; ma più la si reputa avanzata nella civilità, e tenera di questo suo privilegio, e più le si deve supporre l'intelligenza delle condizioni atte a custodire e far valere questa sua dote.

. . . . .

Ora per quanto grande sia la deferenza che il Governo della Toscana professa e sente di dover professare per debito di gratitudine verso il governo dell'Imperatore dei Francesi e verso il Governo di S. M. il Re, tuttavia egli confida che l'uno e l'altro facilmente comprenderanno non essere nei suoi poteri accettare per la Toscana un assetto differente da quello

*To H. E. Count Cavour, President of the Council of Ministers, etc. Turin.*

*Florence, March* 4, 1860.

EXCELLENCY:

I am in receipt of the dispatch which Your Excellency has done me the honor to send me from Turin, under date of the 29th of last February, a letter containing a statement of the ideas of His Majesty, the Emperor of the French, concerning the form to be given to the affairs of Central Italy.

. . . . .

Tuscany would most certainly resent being absorbed by a heterogenous foreign country, which aimed to reduce her to a condition of relative barbarity; but the more she considers herself advanced in civilization, and proud of her privilege, the more one must accord to her the knowledge of the conditions necessary to preserve and assert these qualities.

. . . . .

However great may be the deference which the Tuscan Government professes, and feels in duty bound to profess, in gratitude towards the Government of the French Emperor, and towards the Government of H. M. the King, nevertheless she trusts that both the one and the other will easily comprehend that it is not in her power to accept for Tuscany a evidentemente voluto dalla popolazione e deliberato dall'assemblea.

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[1] Zini, vol. II, pt. 2, No. 259 E. For the reply of Farini, similar in purport, see *ibid.*, No. 259 D.

Governo e popolo in Toscana dalle replicate assicurazioni contenute negli atti ufficiali e diplomatici del Governo francese, hanno dovuto trar la certezza che rimaneva loro libertà pienissima di disporre di sè e che i loro liberi voti sarebbero guarentiti contro ogni intervento straniero.

L'ultima comunicazione dell'E. V. mi trasmetteva le quattro proposizioni dell'Inghilterra per l'assetto definitivo dell'Italia centrale, e faceva sperare che mercè del generoso patrocinio dell'Imperatore dei Francesi, sortirebbero buon esito.

Secondo quelle proposizioni, e presi gli opportuni concerti col Governo delle RR. provincie dell'Emilia, venni nella determinazione di accettare qualunque forma venisse consigliata di nuova votazione col fine di constatare la indole e la veracità dei sentimenti di queste popolazioni. Quando questa forma non fosse prima determinata, stabilii d'accordo col Governatore Farini che avremmo scelta la più larga e la più solenne, quella cioè del suffragio universale.

Fra le altre considerazioni che ci determinavano a questa scelta, non ultima, nè meno influente nell'animo nostro era la considerazione che il suffragio universale doveva essere meglio accetto al governo imperiale, siccome quello che è la base delle instituzioni, e il fondamento della legittimità dell'attuale Impero francese.

different arrangement from that evidently desired by the population, and deliberated in the Assembly.

From the repeated assurances contained in the official and diplomatic acts of the French Government, the Government and the people of Tuscany have accepted it as certain that full liberty remains to them to dispose of themselves, and that their free votes would be guaranteed against all foreign intervention.

The last communication of Your Excellency transmitted to me the four propositions of England for the final arrangement of Central Italy, and led us to hope, that, thanks to the generous patronage of the French Emperor, a good result would follow.

In accordance with those propositions, and having taken the necessary steps with the Government of the Royal Provinces of Emilia, I came to the determination to accept whatever form of suffrage might be advised, in order to make sure of the inclination and the real sentiments of the people.

Where this form had not been already determined upon, I decided, together with Governor Farini, to choose the broader and more solemn form, that of universal suffrage.

Among the other considerations that determined our choice, not the last nor least influential was the consideration that universal suffrage would be the most acceptable to the Imperial Government, as it is the basis of its institutions, and the foundation of the legitimacy of the present French Empire.

Il tempo dell'applicazione poi ci parve opportunamente indicato dal momento che S. M. il Re convocasse il Parlamento nazionale.

V. E. non ignora che fino dal gennaio ultimo caduto, i Governi dell'Emilia e della Toscana, promulgato lo statuto e la legge elettorale del regno sardo, prescrissero quindi le operazioni preliminari delle elezioni, determinati ad ordinarne il compimento quando S. M. le intimasse negli Stati ereditari ed annessi.

Cosi facendo, tutto ci confermava nell'opinione di essere nel nostro diritto, poichè avevano ordinatamente proceduto, da canto nostro seguendo la volontà dei popoli da noi amministrati, negli atti di annessione, senza che l'Europa si risolvesse a stringersi in quel congresso, dove si avevano da discutere le nostre sorti. Era tempo di uscire da una incertezza e da un provvisorio pieno d'insidie e di pericoli: il linguaggio della politica imperiale, e principalmente della nota del Signor Thouvenel, in data del 31 gennaio, ci confermava in tali giudizi.

Ci parve opportuno pertanto di determinare con un'ultima e risolutiva prova se questi popoli avessero da concorrere alle elezioni del parlamento nazionale; e prescrivemmo col decreto del primo marzo, di cui ebbi l'onore di inviar copia all'E. V., i modi e i termini di una nuova votazione per suffragio universale e scrutinio segreto.

Posteriormente a questi fatti mi

The opportune time to adopt this seemed to us to be indicated by the convocation of the National Parliament by H. M. the King.

Your Excellency is not in ignorance of the fact that last January the Governments of Emilia and of Tuscany, having promulgated the Constitution and electoral law of the Kingdom of Sardinia, afterwards prescribed the preliminary operations of the elections, determined to order their fulfillment when H. M. should intimate the same in his hereditary and annexed States.

Proceeding thus, everything confirmed our opinion that we were within our rights, because everything on our side had proceeded towards annexation in orderly fashion in accordance with the will of the people we administered, unless Europe should resolve to meet in that congress where our destiny was to be decided. The imperial political language, and principally the note of Signor Thouvenel, dated January 31, confirmed our judgment that it was time to issue from uncertainty, and from a provisional state, full of snares and dangers. It seemed opportune to us, meanwhile, to determine by a last and decisive proof, if this people were to take part in the elections to the national parliament, and we prescribed the means and terms of a new vote by universal suffrage and secret ballot by a decree of March 1st, of which I had the honor to send Your Excellency a copy.

After these events I received the

pervenivano le comunicazioni dell'E. V. colla esposizione delle idee francesi sulla questione dell'Italia centrale. Considero come debito della lealtà del Governo il divulgare quelle idee fra i Toscani; e son pago che l'interrogarli che noi facciamo per mezzo del suffragio universale non contraddica al desiderio dell'Imperatore, verso del quale i titoli della gratitudine di questa come delle altre popolazioni d'Italia sono molti e grandissimi.

Mentre però mi giova ripetere che il Governo Toscano non poteva assumere sopra di sè, dirimpetto al mandato assoluto dell'Assemblea, la responsabilità di una risoluzione terminativa, posso guarentire all'E. V. che sarà mantenuta la piena e assoluta libertà del voto, affinchè dall'urna del suffragio universale pura e schietta esca la manifestazione della volontà nazionale.

Potrà l'E. V., se lo crede opportuno, comunicare queste considerazioni al barone di Talleyrand, e farne quell'uso che riputerà migliore.

Gradisca, Eccellenza, le assicurazioni della mia distintissima considerazione.

B. Ricasoli.

communication from Your Excellency with the statement of the French ideas upon the question of Central Italy. I consider it obligatory on the loyalty of the Government to publish these ideas among the Tuscans; and I am satisfied that the inquiry which we shall make by means of universal suffrage will not contradict the desire of the Emperor, towards whom this and other states of Italy owe a deep debt of gratitude.

While, however, I repeat that the Tuscan Government could not assume, in face of the absolute mandate of the Assembly, the responsibility of a decisive resolution, I can guarantee Your Excellency, that the full and absolute freedom of the vote will be maintained, in order that from the ballot urns of universal suffrage the manifestation of the national will may issue pure and undefiled.

Should you think it worth while, Your Excellency, you might communicate these considerations to Baron Talleyrand, and make of them what use you see fit.

Accept, Excellency, the assurances of my most distinguished consideration.

B. Ricasoli.

## *Decree of the Tuscan Government Proclaiming a Plebiscite on the Question of Union with the Constitutional Kingdom of Victor Emanuel. March* 1, 1860 [1]

### REGNANDO S. M. VITTORIO EMANUELE

IL R. GOVERNO DELLA TOSCANA

Visti i decreti del 20 gennaio, coi quali furono promulgati in Toscana lo Statuto Costituzionale e la legge elettorale del Regno di Sardegna;

Visto il decreto di S. M. il Re Vittorio Emanuele, col quale sono convocati pel 25 marzo corrente i collegi elettorali al fine di eleggere i deputati al Parlamento Nazionale;

Considerando che prima della riunione del Parlamento Nazionale è necessario che la Toscana abbia un assetto definitivo;

Considerando che l'Assemblea toscana nel dì 20 agosto 1859 deliberò con suffragio unanime la unione alla Monarchia Costituzionale di Casa Savoia;

Considerando che ad avvalorare i voti dell Assemblea giova ora il consultare direttamente il popolo toscano con ogni ampiezza di forme legali, ed anche in confronto di un'altra proposta discussa in Europa, mentre si ha sicurtà che, qualunque sia il voto popolare, esso sarà rispettato e fatto rispettare;

### IN THE REIGN OF HIS MAJESTY, VICTOR EMANUEL

THE ROYAL GOVERNMENT OF TUSCANY

In view of the decrees of the 20th of January, promulgating in Tuscany the Constitutional Statute and the electoral law of the Kingdom of Sardinia;

In view of the decree of His Majesty the King Victor Emanuel, calling together the electoral colleges for the 25th of March instant, to elect the deputies to the National Parliament;

Considering the necessity that Tuscany should be definitively in a settled position before the meeting of the National Parliament;

Considering that the Tuscan Assembly, on the 20th of August, 1859, unanimously resolved on union with the Constitutional Monarchy of the House of Savoy;

Considering that, with a view to rendering available the votes of the Assembly, it is expedient to consult the Tuscan people directly, with full legal forms, and also in view of another proposition discussed in Europe, having the assurance that whatever the popular vote may be, it will be respected, and the respect will be enforced;

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[1] *Le Assemblee,* vol. 5, p. 750. Translation from *British Parliamentary Papers,* Affairs of Italy, pt. 3, 1860, vol. 67 [2638], p. 37.

Considerando che in questo modo si toglie ogni dubbio all'Europa sulla piena libertà dei voti precedenti, e sulla sincerità e costanza della volontà nazionale;

In virtù dei poteri conferiti dall'Assemblea per il compimento dei suoi voti,

DECRETA :

Art. 1. Il popolo toscano è solennemente convocato nei comizi i giorni 11 e 12 marzo 1860 per dichiarare la sua volontà sulle due seguenti proposte:

Unione Alla Monarchia Costituzionale
del Re Vittorio Emanuele,
ovvero
Regno Separato

Art. 2. Son chiamati a dare il voto tutti i toscani, che hanno compiuti i 21 anni, e che godono dei diritti civili;

Art. 3. I gonfalonieri ed i Collegi dei priori prima del giorno 11 marzo formeranno una lista di tutti gli individui domiciliati nella Comunità da sei mesi, e che abbiano compiuti gli anni 21.

A questo effetto invieranno alle Parrocchie comprese nella respettiva Comunità persone di loro fiducia per eseguire lo spoglio dei libri dello stato di anime di ciascuna Parrocchia.

Gli acattolici che sono cittadini toscani anderanno personalmente a darsi in nota all'uffizio comunale del luogo ove dimorano.

Per gli israeliti le Cancellerie delle Università trasmetteranno le note

Considering that in this way all doubt will be dissipated in Europe, relative to the complete freedom of the former votes, and to the sincerity and firmness of the national will;

In virtue of the powers conferred on the Assembly for carrying its wishes into effect,

DECREES :

Article 1. The Tuscan people is solemnly called together in assemblies on the 11th and 12th days of March, 1860, to declare their wishes on the two following propositions:

Union with the Constitutional Monarchy of King Victor Emanuel
or
Separate Kingdom

Art. 2. All Tuscans of the full age of 21 years, and in the possession of civil rights, are called upon to give their votes.

Art. 3. The mayors and aldermen shall, previously to the 11th day of March, make out a list of all persons who have been for six months resident in the commune and have completed their 21st year.

For this purpose they shall send trustworthy persons to the parishes included in their respective communes, to make abstracts from the parish registers of each parish.

Non-catholics who are citizens of Tuscany shall go in person to register themselves at the communal office of the place where they reside.

In regard to Jews, the chanceries of the universities shall transmit degli individui, che si trovano nelle condizioni richieste per dare il voto, ai gonfalonieri delle Comunità nelle quali dimorano.

ART. 4. Coloro che non essendo iscritti sulle liste faranno constare di avere le condizioni contemplate nell'art. 2, saranno ammessi alla votazione.

ART. 5. Il suffragio sarà dato per schede a scrutinio segreto.

ART. 6. Lo scrutinio sarà aperto nel capoluogo di ogni Comunità nei due giorni sopra indicati 11 e 12 marzo dalle ore 8 del mattino sino alle 5 della sera.

I gonfalonieri per mezzo di notificazioni da affigersi ad ogni Parrocchia ecciteranno i cittadini a rendere il loro voto.

ART. 7. I gonfalonieri hanno facoltà di dividere il collegio in quel numero di sezioni che crederanno conveniente.

ART. 8. I gonfalonieri incaricheranno cinque consiglieri comunali, o in mancanza di essi cinque probi cittadini, di presiedere ciascuna delle sezioni. Due almeno di questi si troveranno sempre presenti alla votazione. Essi potranno farsi assistere da segretari da loro nominati.

ART. 9. Ogni votante deporrà nell'urna a ciò destinata una scheda manoscritta o stampata esprimente la sua volontà in questa formula:

Unione Alla Monarchia Costituzionale del Re Vittorio Emanuele ovvero in quest'altra

Regno Separato.

registers of the persons who are entitled to be electors to the mayors of the communes where they reside.

ART. 4. Persons not entered on the list, who shall prove that they fulfil the conditions required by Article 2, shall be admitted to vote.

ART. 5. The vote shall be given by ticket, by secret ballot.

ART. 6. The ballot shall be taken at the chief town of every commune in the two days above mentioned, namely, the 11th and 12th days of March, from 8 o'clock in the morning till 5 o'clock in the afternoon.

The mayors shall exhort the citizens to give their votes by notices posted up in every parish.

ART. 7. The mayors are at liberty to divide the college into any number of sections they may consider expedient.

ART. 8. The mayors shall require five common councillors, or in default thereof, five respectable citizens, to preside over each of the sections. Two of them, at least, shall always be present at the voting. They may obtain the assistance of Secretaries appointed by themselves.

ART. 9. Every voter shall put into the urn provided for the purpose a written or printed ticket expressing his wishes in this form:

Union with the Constitutional Monarchy of King Victor Emanuel

or

Separate Kingdom

Le schede portanti un'altra qualsiasi formula sono nulle.

Art. 10. Il votante prima di deporre la sua scheda nell'urna dovrà dichiarare il suo nome e cognome, che verrà notato da uno dei consiglieri componenti il Seggio, o dal segretario.

Art. 11. Alle ore 5 pom. del giorno 11 marzo l'urna sarà pubblicamente suggellata dai consiglieri presidenti l'adunanza, i quali sono responsabili della sua custodia e della integrità dei sigilli durante la notte.

Art. 12. In ambedue i giorni i consiglieri comunali presidenti l'adunanza faranno l'atto verbale dello scrutinio.

Art. 13. Chiuso lo scrutinio del giorno 12 marzo, le urne suggellate insieme coi processi verbali saranno accompagnate da due almeno dei consiglieri alla Pretura, nella cui giurisdizione civile è compresa la Comunità, e saranno consegnate al pretore, il quale insieme con essi e pubblicamente fa lo spoglio dei voti.

Art. 14. Gli uffiziali, sotto uffiziali e soldati voteranno nelle rispettive località alla presenza di un Consiglio composto di tre uffiziali più elevati in grado, e di due uffiziali i meno anziani nel grado inferiore. Chiuso lo scrutinio, l'urna suggellata insieme coi processi verbali, accompagnata da due uffiziali almeno, sarà trasportata alla Pretura, nella cui giurisdizione civile accade la

Tickets in any other form whatever are null.

Art. 10. The voter, before putting his ticket into the urn, shall declare his name and surname, which shall be written down by one of the councillors composing the Chair, or by the secretary.

Art. 11. At 5 o'clock P.M. of the 11th of March, the urn shall be publicly sealed by the councillors presiding over the assembly, who are responsible for the custody thereof, and for the unbroken condition of the seals during the night.

Art. 12. The common councillors shall, on both days, make a formal minute of the voting.

Art. 13. When the voting of the 12th day of March is concluded, the sealed urns, together with the minutes drawn up, shall be accompanied by two, at least, of the Councillors, to the *Pretura,* in whose civil jurisdiction the commune is included, and shall be given over to the *praetor,* who shall, together with them count the votes in public.

Art. 14. Officers, non-commissioned officers and privates, shall vote in the respective localities, in presence of a council composed of three officers of the highest rank, and of the two junior officers of the lower rank. When the voting is concluded, the sealed urn, together with the formal minutes made, accompanied by two officers at least, shall be conveyed to the *Pretura* in whose jurisdiction the votazione, per gli effetti di che articolo 13.

Gli uffiziali sotto uffiziali e soldati che sono in campagna voteranno nel modo stesso. Il risultato dello scrutinio col processo verbale dell'adunanza sarà trasmesso dal generale comandante la nona divisione al Presidente della Corte Suprema di Cassazione di Firenze dentro il dì 14 marzo.

I RR. carabinieri, i soldati e RR. guardie di finanza distribuiti in picchetti voteranno alle singole Comunità dove risiedono.

Art. 15. I pretori trasmetteranno immediatamente il processo verbale da loro firmato, che costata il resultato della votazione, al prefetto o sottoprefetto del Compartimento, i quali li trasmetteranno immediatamente al Presidente della Corte Suprema di Cassazione di Firenze.

Art. 16. Il giorno 15 successivo la Corte di Cassazione, ricevuti i processi verbali portanti i resultati degli scrutini parziali, ne farà lo spoglio generale in seduta pubblica coll'assistenza del Pubblico Ministero, e lo trasmetterà immediatamente al ministro di giustizia e grazia.

Art. 17. Tutte le leggi e discipline che regolano le convocazioni elettorali pei Consigli comunali a fine di garantire l'ordine e la libertà del voto, sono applicabili alle convocazioni presenti.

Art. 18. I ministri dell'interno e

voting has taken place, for the purposes mentioned in Article 13.

Officers, non-commissioned officers and privates, who may be in campaign, shall vote in the same manner. The result of the voting, with the formal minutes of the meeting, shall be sent by the General commanding the Ninth Division to the President of the Supreme Court of Cassation of Florence, before the 14th day of March.

The Royal Carabineers, the soldiers and Royal Guards of the treasury distributed in pickets, shall vote in the several communes where they are resident.

Art. 15. The praetors shall immediately transmit the formal minutes showing the result of the voting, signed by them, to the prefect or subprefect of the district, who shall immediately transmit them to the President of the Supreme Court of Cassation of Florence.

Art. 16. On the following day, the 15th, the Court of Cassation, having received the formal minutes showing the results of the several votings, shall make out a general result of the whole in public session, with the assistance of the Ministry, and shall transmit the same immediately to the Minister of Grace and Justice.

Art. 17. All the laws and ordinances which regulate the electoral assemblies for the Common Councils, with the object of insuring order and the freedom of the ballot, are applicable to the present assemblies.

Art. 18. The Minister of the Indi giustizia e grazia sono incaricati dell'esecuzione del presente decreto.

*Dato in Firenze il primo marzo milleottocentosessanta.*

*Il presidente del Consiglio dei ministri e ministro dell'interno*

B. Ricasoli.

*Il ministro della istruzione publica e ministro interino degli affari esteri*

C. Ridolfi.

*Il ministro di giustizia e grazia*

E. Poggi.

*Il ministro delle finanze, del commercio e dei lavori pubblici*

R. Busacca.

*Il ministro degli affari ecclesiastici*

V. Salvagnoli.

*Il ministro della guerra*

R. Cadorna.

*Il segretario generale del Governo della Toscana*

Celestino Bianchi.

V° Per l'apposizione del sigillo

*Il ministro di giustizia e grazia*

(L. S.) E. Poggi.

terior, and the Minister of Grace and Justice, are charged with the execution of the present decree.

*Done at Florence, on the* 1*st day of March,* 1860.

*President of the Council of Ministers, and Minister of the Interior,*

B. Ricasoli.

*Minister of Public Instruction, and Interim Minister of Foreign Affairs,*

C. Ridolfi.

*Minister of Grace and Justice,*

E. Poggi.

*Minister of Finance, Commerce and Public Works,*

R. Busacca.

*Minister of Ecclesiastical Affairs,*

V. Salvagnoli.

*Minister of War,*

R. Cadorna.

*General Secretary of the Tuscan Government,*

Celestino Bianchi.

Seal affixed:

(*Signed*)

*Minister of Grace and Justice,*

(L. S.) E. Poggi.

## *Decree of the Government of Emilia Proclaiming a Plebiscite on the Question of Union with the Constitutional Kingdom of Victor Emanuel. March 1, 1860*[1]

Regnando S. M. Vittorio Emanuele II

### IL GOVERNATORE DELLE REGIE PROVINCIE DELL' EMILIA

Visti i decreti dittatoriali coi quali furono promulgati lo Statuto costituzionale e la legge elettorale del Regno di Sardegna nelle Provincie modenesi, parmensi e romagnole;

Visto il decreto di S. M. il Re Vittorio Emanuele II, in data 29 febbraio, col quale sono convocati i Collegi elettorali del Regno per eleggere i deputati al Parlamento nazionale;

Considerando che prima della riunione del Parlamento è necessario che queste Provincie abbiano un assetto definitivo;

Considerando che le Assemblee convocate a Modena, Parma e Bologna deliberarono a suffragio unanime l'annessione alla Monarchia costituzionale di Casa Savoia;

Considerando che giova ora il consultare direttamente il popolo con ogni ampiezza di forme legali ed anche in confronto di un'altra proposta discussa in Europa, mentre si ha sicurità che, qualunque sia il voto popolare, esso sarà rispettato e fatto rispettare;

Considerando che in questo modo

In the Reign of His Majesty Victor Emanuel II

### THE GOVERNOR OF THE ROYAL PROVINCES OF EMILIA

In view of the dictatorial decrees with which the constitution and the electoral law of the Kingdom of Sardinia were extended to the provinces of Modena, Parma and Romagna;

In view of the decree of His Majesty King Victor Emanuel II of the date of February 29, by which the electoral colleges of the Kingdom are convoked to elect the deputies to the national Parliament;

Considering that before the meeting of Parliament, it is necessary that these provinces come to a definite adjustment;

Considering that the assemblies convoked at Modena, Parma and Bologna voted unanimously for annexation to the Constitutional Monarchy of the House of Savoy;

Considering that it is well now to consult the people directly with every fullness of legal form and also in regard to another proposal discussed in Europe, while we are sure that whatever may be the popular vote it will be respected and will command respect;

Considering that in this way Eu-si toglie ogni dubbio all'Europa sulla piena libertà dei voti precedenti e sulla sincerità e costanza della volontà nazionale;

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[1] *Le Assemblee,* vol. 1, p. 435.

In virtù dei pieni poteri conferitigli dalle Assemblee,

DECRETA:

ART. 1. Il popolo di queste Provincie è solennemente convocato nei Comizi i giorni 11 e 12 marzo 1860 per dichiarare la sua volontà sulle due seguenti proposte: — *Annessione alla Monarchia costituzionale del Re Vittorio Emanuele* II — ovvero — *Regno separato.*

ART. 2. Sono chiamati a dare il voto tutti i cittadini che hanno compiuti i 21 anni e che godono dei diritti civili.

ART. 3. I sindaci o capi del comune e le Giunte o Ammistrazioni comunali prima del giorno 11 dovranno aggiungere alle liste già esistenti degli elettori comunali i nomi di quei cittadini che non vi sono compresi e che da sei mesi abbiano il domicilio nel comune o che vi si trovino per ragione d'impiego.

ART. 4. Coloro che, non essendo iscritti sulla lista, faranno constare di avere le condizioni contemplate negli articoli precedenti, saranno ammessi alla votazione.

ART. 5. Gli uffiziali, sotto-uffiziali e soldati voteranno sotto la presidenza del capo più elevato di grado nel luogo della loro residenza al momento del voto. Il risultato di questo scrutinio

rope will be freed from all doubt of the full liberty of the preceding votes and of the sincerity and constancy of the national will;

In virtue of the full power conferred upon him by the Assembly,

DECREES:

ARTICLE 1. The people of these provinces are solemnly convened in assemblies, on the 11th and 12th days of March, 1860, to declare their wishes as to the two following proposals: — *Annexation to the Constitutional Monarchy of the King Emanuel II* — or — *Separate Kingdom.*

ART. 2. All the citizens who have completed their 21 years, and who enjoy civil rights are summoned to vote.

ART. 3. The syndics or heads of the communes and the communal councils or administrations, before the 11th, should add to the lists of communal electors already existing, the names of those citizens who are not included in them, and who for six months have had their domicile in the commune, or who may find themselves there because of employment.

ART. 4. Those who, not being registered on the list, shall prove that they have the qualifications mentioned in the preceding articles, shall be admitted to vote.

ART. 5. The officers, non-commissioned officers and soldiers shall vote under the presidency of the person of highest rank in the place where they are quartered at the time of vot-sarà immediatamente communicato all'intendente generale della Provincia.

Art. 6. Il suffragio si darà per ischeda a scrutinio segreto.

Art. 7. Lo scrutinio sarà aperto nel capoluogo di ogni comune nei due giorni suindicati 11 e 12 marzo dalle ore 8 del mattino alle 5 della sera.

Art. 8. Nei comuni che hanno più di 1,000 elettori i capi del comune e le Amministrazioni comunali potranno per comodo dei votanti dividerli in sezioni non minori di 500.

Art. 9. Le Amministrazioni comunali incaricheranno cinque consiglieri comunali di presiedere ciascuna delle sezioni. Tre almeno di questi si troveranno sempre presenti alla votazione. Essi potranno farsi assistere da segretari da loro chiamati.

Art. 10. Ogni votante deporrà nell'urna a ciò destinata una scheda manoscritta o stampata esprimente la sua volontà in questa formola: — *Annessione alla Monarchia costituzionale del Re Vittorio Emanuele* II — ovvero in quest'altra — *Regno separato.*

Le schede portanti un'altra qualsiasi formola sono nulle.

Art. 11. Il votante, prima di deporre la sua scheda nell'urna, dovrà dichiarare il suo nome e cognome, che verrà notato da uno dei consiglieri componenti l'uffizio o dal segretario.

ing. The result of this ballot shall be immediately communicated to the General Intendant of the province.

Art. 6. The voting shall be by secret ballot.

Art. 7. The polls shall be open in the chief place of every commune on the two days indicated above, the 11th and 12th of March, from eight o'clock in the morning until five in the afternoon.

Art. 8. In the communes which have more than a thousand electors, the head of the commune and the communal administration may, for the convenience of the voters, divide them into sections of not less than 500.

Art. 9. The communal administrations shall appoint five communal councillors to preside over each of the sections. Three at least of these shall always be present at the voting. These may be assisted by secretaries of their own choice.

Art. 10. Each voter shall place in the urn designated for it a ballot, either written or printed, expressing his wishes in this formula:

*Annexation to the constitutional monarchy of King Victor Emanuel II* — or in this other — *Separate Kingdom.*

The ballots bearing any other formula are void.

Art. 11. The voter, before placing his ballot in the urn, must declare his own name and surname, which will be noted by one of the councillors in office, or by the secretary.

Art. 12. Alle ore 5 del giorno 11 l'urna sarà pubblicamente suggellata dai consiglieri presidenti l'adunanza, i quali sono responsabili della sua custodia e della integrità dei sigilli.

Art. 13. Chiuso lo scrutinio dal giorno 12, le urne suggellate saranno portate da due almeno dei consiglieri al capoluogo di mandamento e consegnate al giudice, pretore o giusdicente, il quale insieme con essi e pubblicamente ne fa lo spoglio.

Art. 14. I giudici, pretori o giusdicenti trasmetteranno immediatamente il processo verbale, da loro formato, che constata il risultato della votazione all'intendente generale della provincia.

Art. 15. Il giorno 14 le Corti di cassazione o Tribunali di revisione esistenti in Bologna, Modena e Parma, ricevuti dagli intendenti generali delle Provincie che sono nella loro giurisdizione i processi verbali portanti i risultati degli scrutini parziali, ne faranno lo spoglio generale in seduta pubblica e li trasmetteranno al Ministero di grazia e giustizia.

Art. 16. Le leggi e discipline che regolano le convocazioni elettorali pei Consigli comunali e provinciali a fine di guarentire l'ordine e la libertà del voto sono applicate alle convocazioni presenti.

*Bologna* 1° *marzo* 1860.

Farini.

Art. 12. At five o'clock on March 11th, the urn shall be publicly sealed by the councillors presiding over the assembly, who are responsible for its safe keeping and for the integrity of the seals.

Art. 13. The polls having been closed on March 12th, the sealed urns shall be carried by at least two of the councillors to the chief place of the district and given over to the judge, praetor or justice, who together with them and publicly shall make the count.

Art. 14. The judges, praetors and justices shall at once transmit to the Intendant General of the Province the formal minute drawn up by them which shall state the result of the vote.

Art. 15. On the 14th day of March the Courts of Appeal, or Tribunals of Revision, existing in Bologna, Modena and Parma, having received from the Intendants General of the provinces which are in their jurisdiction formal minutes containing the results of the partial votes, shall make the general count in a public place and shall transmit the result to the Minister of Grace and Justice.

Art. 16. The rules and regulations of the electoral conventions for the Communal and Provincial Councils for the purpose of guaranteeing the order and freedom of the vote, are applied to the conventions here provided.

*Bologna, March 1st,* 1860.

Farini.

### *Letter of Cavour to Villamarina, Minister of Sardinia at Naples* [1]

*Torino, marzo* 1860.

. . . Attendo con ansietà il risultato dello scrutinio, al quale si procede ora nell'Italia centrale. Se, come spero, questa ultima prova è decisiva, avremo scritto una pagina meravigliosa nella storia d'Italia. La Prussia e la Russia, pure contestando il valore giuridico del suffragio universale, non potranno mettere in dubbio l'immensa importanza del fatto che in questo giorno si compie. I duchi, gli arciduchi, i granduchi andranno sepolti in perpetuo, sotto il cumulo delle schede deposte nelle urne dei comizi nella Toscana e nell'Emilia. . . .

*Turin, March,* 1860.

. . . I await with anxiety the result of the count, which is taking place in Central Italy. If, as I hope, this last proof is decisive, we shall have written a marvelous page in the history of Italy. Even should Prussia and Russia contest the legal value of universal suffrage, they can not place in doubt the immense importance of the event to-day brought to pass. Dukes, archdukes and grand-dukes will be buried forever, beneath the heap of votes deposited in the urns of the voting places of Tuscany and Emilia. . . .

### *Bon-Compagni Resigns the Office of Governor General. March 2,* 1860 [2]

*A. S. E. il Barone Ricasoli, Presidente del Consiglio dei ministri à Firenze.*

*Bologna, 2 marzo* 1860.

Eccelenza,

Allorquando, addì tre dicembre ultimo, firmai l'atto per cui d'accordo con V. E., e col cavaliere Farini assunsi la qualità di Governatore generale delle provincie collegate dell'Italia centrale, ebbi nell'animo, non solo di dare effetto, per quanto in quelle contingenze si poteva, alla designazione fatta della mia persona da S. A. R. il Principe di Savoia Carignano, ma di cooperare alla politica

*To his Excellency Baron Ricasoli, President of the Council of Ministers, Florence.*

*Bologna, March* 2, 1860.

Your Excellency,

When on the 3d of December last I signed, in agreement with your Excellency and with cavaliere Farini, the act by which I assumed the functions of Governor General of the United Provinces of Central Italy, I intended not only to give effect, in so far as contingencies would permit, to the designation made through me of His Royal Highness the Prince of Savoy-Carignano, but to cooperate

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[1] Chiala, *Lettere*, vol. 3, p. 211.

[2] *Le Assemblee*, vol. 5, p. 752.

del Governo di S. M. nell'Italia centrale. Questa politica mirava a tenere unite fra loro e al Piemonte le provincie che avevano deliberato di unirsi al Regno Subalpino, e ad agevolare ad esse il conseguimento dei loro voti. Oggi, dappoichè, in seguito al decreto promulgato da V. E., il suffragio universale debbe decidere se il popolo voglia piuttosto questa annessione, o regno separato, la mia qualità viene a cessare. Continuando, essa potrebbe dare occasione alle accuse di coloro, che non curando nè la verità dei fatti, nè l'evidenza delle dimostrazioni, accusarono il Governo del Re di avere carpito i voti dei popoli. L'onore del paese che io rappresento e l'onor mio esigono che io non lasci luogo a questi sospetti.

. . . . .

Indi a poco le Assemblee che rappresentavano quelle provincie pronunciarono il voto di annessione, ed io usai i diritti consacrati dallo Statuto propugnando colla stampa la politica della annessione. Fui designato all'ufficio da cui oggi mi dimetto, perchè, designando me, S. A. R. il Principe di Savoia Carignano ed il Governo del Re credettero dar segno di attenersi ad una politica favorevole alle annessioni. *L'Unione liberale* destinata a preparare le elezioni politiche mi elesse a suo Presidente, credendo che il mio nome fosse per dimostrare come essa ponesse in cima alla sua

in the policy of the Government of His Majesty in Central Italy. This policy was aimed at keeping united among themselves and with Piedmont the provinces which had elected to join the Subalpine Kingdom, and to facilitate thereby the attainment of their wishes. To-day, since, as a result of the decree promulgated by your Excellency, universal suffrage must decide whether the people favor this annexation or a separate kingdom, my functions come to an end. To remain in office might give rise to the accusations of those who, caring neither for the reality of facts nor for the evidence of demonstrations, would accuse the King's Government of having unlawfully secured the votes of the people. The honor of the country which I represent, as well as my own honor, require that I should not give occasion for such suspicions.

. . . . . .

The assemblies which represented these provinces will shortly proclaim the vote of annexation, and I have availed myself of the rights sanctioned by the Constitution to defend by the pen the policy of annexation. I was appointed to the office which I am to-day relinquishing because by selecting me His Royal Highness the Prince of Savoy-Carignano and the King's Government have thought to show that they followed a policy favorable to annexation. The "*Unione liberale,*" designed to prepare the political elections, chose me as its President, thinking that my name would

politica la causa delle annessioni. Da tutte queste precedenze mi è indicata la via che debbo tenere in progresso, e mi è indicata altresì la moderazione con cui debbo procedervi. Qui il discutere le opinioni che professai fin'ora in ordine alle annessioni, o per difenderle o per impugnarle, non si appartiene a noi Subalpini, ma ai cittadini di queste provincie, chiamate ora a deliberare definitivamente delle proprie sorti. A noi si apparterrà adoperare affinchè il loro voto, qualunque siasi per essere, non riesca invano, ed i loro diritti non vengano o negletti o manomessi.

Nel chiudere le relazioni d'ufficio che le cariche da me ultimamente sostenute mi posero in grado di tenere coll'E. V. non mi rimane che da ringraziarla della benevolenza di cui volle ognora essermi cortese. La prego ad un tempo di portare questa mia lettera a cognizione del pubblico affinchè i cittadini di codesta nobil parte d'Italia sappiano di quanta riconoscenza io sia penetrato per la benevolenza che essi pure vollero dimostrarmi in ogni occasione.

Prego V. E. di gradire i sensi del mio rispetto.

C. Bon-Compagni.

show that the cause of annexation was holding first place in its policy. All that precedes points out to me the course which I must follow in the future; it shows me also with what caution I must act. It is not for us Subalpines but for the citizens of these provinces now called upon to decide finally upon their future, to discuss the opinions which I held hitherto in regard to the annexations, either to defend or to combat them. It is for us to see to it that their vote, whatever it may be, is not given in vain, and that their rights are neither neglected nor impaired.

In concluding the official relations which the functions lately held by me have enabled me to maintain with your Excellency, it only remains for me to thank you for the kindness you have always been so good as to show me. I beg you at the same time to make known this letter to the public in order that the citizens of this noble part of Italy may know how grateful I am for the kindness they have shown me on every occasion.

I beg your Excellency to accept the assurance of my respect.

C. Bon-Compagni.

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## *Proclamation of the Tuscan Council of Ministers Regarding the Duty of the Tuscan People. March* 5, 1860[1]

Toscani!

Or compie un anno le armi di Piemonte e di Francia si scontrarono in

Tuscans!

A year ago the armies of Piedmont and France clashed with those guerra con quelle d'Austria perchè, cessato una volta il predominio di questa in Italia, fosse assicurata colla nostra indipendenza la pace d'Europa.

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[1] *Le Assemblee,* vol. 5, p. 754.

La Convenzione di Villafranca non raggiunse intero questo scopo.

L'Italia centrale abbandonata a sè stessa da chi non poteva più governarla, concorse alla guerra; e questa immaturamente troncata, intese che per non perdere tutti i benefizi dell' occasione e della vittoria, bisognava fare un regno forte, riparo al presente, tutela delle cose conquistate in futuro.

I popoli legittimamente rappresentati deliberarono con saviezza pari al diritto, e con tutta la risoluzione pari alla necessità, la formazione di un forte Regno italiano sotto lo scettro costituzionale di S. M. Vittorio Emanuele.

A fronte di questa grande opera, unica nella storia della civiltà, gli arbitri dell'Europa riconobbero giusto di non usare la forza, e la dichiarazione del non intervento fu il primo omaggio reso alle Nazioni risorte.

Sembrava però che un Congresso su questo nuovo giure dovesse compir l'opera ristauratrice d'Italia e pacificatrice d'Europa: ma ogni studio per riunire il Congresso tornò vano. L'Inghilterra e la Francia allora misero innanzi opportune proposte. Con queste, mentre si riconosceva il nostro diritto a costituirci liberamente, si mostrava desiderio di una solenne

of Austria because, the predominance of the latter having ceased in Italy, the peace of Europe was assured with our independence.

The convention of Villafranca did not fully attain this end.

Central Italy, left unsupported by those who could no longer govern it, entered the war; and the latter being prematurely ended, she understood that, if she was not to lose all the gains of the occasion and of victory, it was necessary to create a strong kingdom, a defense for the present and a protection for the conquests of the future.

The peoples, lawfully represented, decided with a wisdom equal to right and with a full resolve equal to necessity, upon the formation of a strong Italian kingdom under the constitutional sway of H. M. Victor Emanuel.

In the face of this great work, unique in the history of civilization, the arbiters of Europe acknowledged the justice of not using force, and the declaration of non-intervention was the first homage paid to the reborn nations.

It seemed, therefore, that a congress should complete the work of restoration of Italy and of European pacification on this new kind of right. But every effort to convene the congress failed. England and France put forward at that time timely proposals. These, while recognizing our right to organize freely, showed a desire for a solemn confirmation of the conferma dei voti già legittimamente e liberamente emessi.

Intanto il Re Leale e Magnanimo decretava di aprire il Parlamento.

I popoli dell'Emilia e della Toscana avean già stabilito di voler far parte di questo gran comizio nazionale, e colla legge del nuovo Regno erano state preordinate le elezioni dei deputati per formare uno Stato solo e una difesa comune.

Ma prima di entrare in questo gran comizio, è buon consiglio che diano prova con atto nuovo di coscienza politica, in faccia a Dio e agli uomini, di aver votato l'Unione per diritto, per senno, per utilità, per suprema legge di salute nazionale.

Non già che a dar quest'ultima prova fossero tenuti, poichè nessuno può ragionevolmente dubitare che nel tempo, nel quale si sono formate le grandi Nazioni, le memorie municipali tanto ci abbiano ottenebrata la mente da farci disconoscere i vantaggi dell' essere riuniti per centuplicare l'antica civiltà, per profittare in comune di tutti gli elementi di una vita nuova nazionale, impossibile colla divisione antica e colla piccolezza degli Stati figli dei comuni, in mezzo a Nazioni che da quattro secoli si prevalgono di essere divenute grandi e compatte per territorio, istituzioni e armi.

Spontanei i popoli dell'Emilia e della Toscana potranno confermare il

votes already lawfully and freely cast.

In the meantime the loyal and magnanimous King decreed the opening of Parliament.

The peoples of Emilia and Tuscany had already recorded their will to form part of this great national assembly, and under the law of the new Kingdom the election of deputies had been preordained for the purpose of forming a single State and a common defense.

But before entering this great assembly, it is advisable that they give proof by means of a fresh act of political conscience, before God and before mankind, that they have voted the Union by right, with judgment, for convenience, as the supreme law of national salvation.

Not that they were bound to give this last proof, since no one may reasonably believe that at the time of the formation of the great nations, municipal memories had so obscured the mind as to cause us to lose sight of the advantages of being united for the purpose of promoting the old civilization, of profiting together by all the elements of a new national life, impossible with the old division and smallness of the States which had issued from the communes, in the midst of nations which, for four centuries, had taken advantage of the fact that they had become great and united in territory, institutions and arms.

The peoples of Emilia and Tuscany may spontaneously confirm their own giudizio proprio col plebiscito cui sono chiamati.

Questo coronerà l'opera vostra, o toscani. Voi siete tutti chiamati a gettare nell'urna il vostro voto, che in tanti modi avete espresso, con tanta solennità, con tanta ragione. Voi non smentirete in questa occasione la serena e composta dignità, colla quale da dieci mesi andate preparando i vostri grandi destini, che vi ha guadaggnate le simpatie dell'Europa, ed è quella che conviene a chi ha la coscienza del proprio diritto.

Il suffragio che voi gettate nell'urna è libero: non ne darete conto che a Dio e a voi stessi.

Il mondo dovrà ammirare, o toscani, la vostra religiosità e il vostro esempio. Voi avete fin qui raddrizzato gli errori della fortuna e degli uomini: ora potete compiere questo grande edificio della Nazionalità, e coronare l'opera vostra.

Toscani!

Noi siamo alteri di avervi condotto fin presso alla meta; e siamo certi che il vostro ultimo passo sarà uguale ai precedenti. Fra pochi giorni godrete la pienezza di sentirvi italiani sotto il Leale e Magnanimo Re Vittorio Emanuele.

Firenze, 5 marzo 1860.

B. Ricasoli — C. Ridolfi — E. Poggi — R. Busacca — V. Salvagnoli — R. Cadorna — Celestino Bianchi, *segretario*.

judgment by the plebiscite to which they are called.

Tuscans, this plebiscite will crown your work. You are all called upon to place in the ballot box the vote which you have expressed in so many ways with such solemnity and such judgment. You will not on this occasion belie the serene and grave dignity with which you have been preparing for ten months for your great destinies, by which you have retained the sympathy of Europe, and which befits one conscious of his own right.

The ballot which you cast in the box is free; you are accountable therefor only to God and to yourselves.

Tuscans, the world shall admire your piety and your example. You have so far corrected the errors of fortune and of mankind: now you can complete this great structure of nationality and crown your work.

Tuscans!

We are proud to have conducted you until almost up to the goal and feel certain that your last step will be worthy of the preceding ones. A few days hence you shall enjoy the satisfaction of feeling yourselves to be Italians under the royal and magnanimous King Victor Emanuel.

Florence, March 5, 1860.

B. Ricasoli — C. Ridolfi — E. Poggi — R. Busacca — V. Salvagnoli — R. Cadorna — Celestino Bianchi, *Secretary*.

## *Rules for the Publication of the Results of the Plebiscite in Emilia. March* 13, 1860 [1]

REGNANDO S. M. VITTORIO EMANUELE II

### IL GOVERNATORE DELLE PROVINCIE DELL'EMILIA

Sulla proposta del ministro di grazia, giustizia e culti,

DECRETA:

ART. 1. I processi verbali delle votazioni con l'annesso elenco nominale dei votanti resteranno cinque giorni affissi nelle cancellerie del Tribunale di cassazione in Bologna, del Tribunale di revisione in Modena, e della Regia Corte suprema di revisione in Parma perchè chiunque, o italiano o straniero, possa esaminarli.

ART. 2. Il ministro di grazia, giustizia e culti è incaricato dell'eseguimento del presente decreto, che sarà pubblicato a norma di legge.

Dato a Modena, 13 marzo 1860.

FARINI,
CHIESI.

IN THE REIGN OF HIS MAJESTY VICTOR EMANUEL II

### THE GOVERNOR OF THE PROVINCE OF EMILIA

At the proposal of the Minister of Justice and Education,

DECREES:

ARTICLE 1. The formal minute of the voting, together with the list of voters, shall remain for five days affixed to the registers of the Tribunal in Bologna, of the Tribunal of Revision at Modena, and the Supreme Court of Revision at Parma, so that anyone, either Italian or foreigner, can examine them.

ART. 2. The Minister of Justice and Education is charged with the execution of the present decree, which shall be published by rule of law.

Done at Modena, 13th March, 1860.

FARINI,
CHIESI.

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## *Proclamation of the Results of the Plebiscite in Tuscany. March* 15, 1860 [2]

REGNANDO S. M. VITTORIO EMANUELE

IL REGIO GOVERNO DELLA TOSCANA

Promulga la solenne dichiarazione emessa dalla Corte Suprema di Cassazione costatante il plebiscito del popolo toscano convocato nei Comizi

IN THE REIGN OF HIS MAJESTY VICTOR EMANUEL

THE ROYAL GOVERNMENT OF TUSCANY

Hereby promulgates the solemn declaration issued by the Supreme Court of Cassation recording the plebiscite of the Tuscan people sum-

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[1] *Le Assemblee*, vol. 1, p. 436.

[2] *Ibid.*, vol. 5, p. 756.

nei giorni undici e dodici marzo corrente.

“L'anno milleottocentosessanta questo dì quindici del mese di marzo.

“La Corte Suprema di Cassazione riunita in seduta plenaria nella sua sala delle pubbliche udienze posta nel Palazzo della Signoria in virtù del decreto del primo marzo corrente, all' effetto di verificare i resultati del suffragio universale reso dal popolo toscano concovato nei Comizi.

“Presenti gli uffiziali del Ministero Pubblico.

“Presenti due pubblici impiegati della Corte dei conti a bella posta invitati per eseguire le necessarie operazioni di calcolo.

“Veduto il decreto di primo marzo, e le istruzioni del Ministero di giustizia e grazia comunicate con lettere dei 5, 7, e 8 marzo.

“Riscontrata e verificata l'integrità dei sigilli apposti sopra tutti gli involti pervenuti sul suo banco, e che appartengono ai Compartimenti, Governi e Corpi militari della Toscana.

“Visti tutti i verbali dei prefetti, sottoprefetti, governatori, e comandanti dei Corpi militari ed uditane la lettura fatta alla pubblica udienza.

“Riscontrata e verificata l'integrita dei sigilli appositi sui plichi dei pretori che corrisponnono al numero delle Preture esistenti in Toscana.

moned in assemblies on the 11th and 12th of the present month of March.

“In the year eighteen hundred and sixty, this 15th day of the month of March;

“The Supreme Court of Cassation, meeting in plenary session in its public audience chamber located in the Palazzo della Signoria in pursuance of the decree of the 1st instant, for the purpose of ascertaining the results of the universal suffrage expressed by the Tuscan people convoked in assemblies;

“In the presence of representatives of the Public Prosecutor;

“In the presence of two employees of the Court of Accounts specially invited to control the necessary computations;

“Having considered the decree of March 1st, and the instructions of the Minister of Justice and Grace communicated by the letters of March 5, 7, and 8;

“Having compared and ascertained the soundness of the seals affixed on all the packages which have reached its bench and which pertained to the divisions, governments and military corps of Tuscany;

“Having seen all the formal minutes of the prefects, subprefects, governors, and commanders of military corps and having heard them read in public session;

“Having compared and ascertained the soundness of the seals affixed to the packages of the magistrates corresponding to the number of *Preturas* existing in Tuscany;

" Riscontrata e verificata altresì l'integrità dei sigilli apposti sui plichi di tutti i Comandi militari.

" Visti i verbali contenuti in ciascuno dei plichi dei pretori e dei comandanti dei Corpi militari, e uditane lettura fatta alla pubblica udienza.

" Sentito il Pubblico Ministero.

" Dichiara che dietro gli spogli eseguiti a questa medesima udienza dei resultati parziali del suffragio universale registrati negli atti verbali suddetti, si è ottenuto il resultato finale che è il seguente.

" Having compared and ascertained also the soundness of the seals affixed on packets from all the military commanders;

" Having considered the minutes contained in each one of the packets from the magistrates and commanders of the military corps, and having heard them read at a public session;

" Having heard the Public Prosecutor;

" Declares that, following the enumeration made at the same session of the partial results of the universal suffrage recorded in said minutes, the final result obtained is as follows:

| | |
|---|---|
| " Numero do toscani concorsi a dare il voto<br>*(Number of Tuscans assembled to cast a vote)* | 386,445 |
| " Numero dei voti per l'Unione alla Monarchia Costituzionale del Re Vittorio Emanuele<br>*(Number of votes for union with the Constitutional Monarchy of King Victor Emanuel)* | 366,571[1] |
| " Numero dei voti per il Regno separato<br>*(Number of votes for a Separate Kingdom)* | 14,925 |
| " Numero dei voti dichiarati nulli<br>*(Number of votes declared null and void)* | 4,949 |

" Constata conseguentemente e dichiara il Plebiscito del popolo toscano essere per l'Unione alla Monarchia Costituzionale di RE VITTORIO EMANUELE.

" Così dichiarato dalla Corte Suprema di Cassazione alle ore undici e minuti cinquantacinque pomeridiane del giorno predetto nella Sala suddetta sedendo il commendatore Vicenzio

" Certifies consequently and hereby declares that the plebiscite of the Tuscan people is for union with the constitutional monarchy of KING VICTOR EMANUEL.

" Thus declared by the Supreme Court of Cassation at eleven o'clock and fifty-five minutes P. M. of the aforesaid day in the above-mentioned room, there being in session Com-

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[1] Note by editor of *Le Assemblee:* In some publications on the Tuscan plebiscite this number is given as 366,561. Our document was copied from the minutes of the plebiscite existing in the State Archives of Florence (box 3202), which attests that the correct number is that printed by us.

Bani presidente, cavalier Giuseppe Puccioni vice presidente e cavalier Carlo Carducci, Silvio Bonajuti, cavalier Zanobi Pasqui, Angiolo Nuccorini, Giuseppe Gilles, cavalier Raffaelle Cocchi e Gio. Batta Ajazza consiglieri, che si sono sottoscritti in piè dell'Atto insieme col cancelliere.

"V. Bani, *presidente* — G. Puccioni, *vice-presidente* — C. Carducci — S. Bonajuti — Z. Pasqui — A. Nuccorini — G. Gilles — R. Cocchi — G. B. Ajazzi — F. Nasi, *cancelliere.*"

Dato in Firenze li quindici marzo millottocentosessanta.

*Il presidente del Consiglio dei ministri e ministro dell'interno*
B. Ricasoli.

*Il ministro della istruzione pubblica e ministro interino degli affari esteri,*
C. Ridolfi.

*Il ministro di giustizia e grazia*
E. Poggi.

*Il ministro delle finanze, del commercio e dei lavori pubblici*
R. Busacca.

*Il ministro degli affari ecclesiastici*
V. Salvagnoli.

*Il ministro della guerra*
R. Cadorna.

V°. per l'apposizione del sigillo.
*Il ministro di giustizia e grazia*
(L. S.)
E. Poggi.

*Il segretario generale del Governo della Toscana*
Celestino Bianchi.

mendatore Vincenzio Beni, President, Cavalier Giuseppe Puccioni, Vice-president and Cavalier Carlo Carducci, Silvio Bonajuti, Cavalier Zanobi Pasqui, Angiolo Nuccorini, Giuseppe Gilles, Cavalier Raffaelle Cocchi, and Gio. Batta Ajazza, Councillors, who have signed at the bottom of the act, together with the clerk.

"V. Bani, *President* — C. Puccioni, *Vice-President* — C. Carducci — S. Bonajuti — Z. Pasqui — A. Nuccorini — G. Gilles — R. Cocchi — C. B. Ajazzi — F. Nasi, *Clerk.*"

Done at Florence, the fifteenth of March, eighteen hundred and sixty.

*The President of the Council of Ministers and Minister of the Interior,* B. Ricasoli.

*The Minister of Public Instruction and acting Minister of Foreign Affairs,*
C. Ridolfi.

*The Minister of Justice and Grace,*
E. Poggi.

*The Minister of Finance, Commerce, and Public Works,*
R. Busacca.

*The Minister of Ecclesiastical Affairs,* V. Salvagnoli.

*The Minister of War,*
R. Cadorna.

Seen for affixing the seal:
*The Minister of Justice and Grace,*
(L. S.) E. Poggi.

*The General Secretary of the Government of Tuscany,*
Celestino Bianchi.

*Con decreto del 17 marzo 1860 si ordinò che la dichiarazione della Corte di Cassazione fosse incisa in marmo ed affissa alla porta dei palazzi di ciascuna Comunità che rese il voto.*

*By decree of March 17, 1860, it was ordered to have the declaration of the Court of Cassation carved in marble and affixed to the door of the town hall of every commune which cast the vote.*

## *Proclamation of the Results of the Plebiscite in Emilia. March* 15, 1860[1]

REGNANDO S. M. VITTORIO EMANUELE II

### GOVERNO DELLE REGIE PROVINCIE DELL'EMILIA

IL MINISTRO DI GRAZIA, GIUSTIZIA E CULTI

Visto il decreto 1° marzo di convocazione dei comizi delle Regie Provincie dell'Emilia;

Visto il rapporto del Supremo Tribunale di Cassazione in Bologna del 14 marzo 1860, dal quale risulta:

IN THE REIGN OF HIS MAJESTY VICTOR EMANUEL II

### GOVERNMENT OF THE ROYAL PROVINCES OF EMILIA

THE MINISTER OF GRACE, JUSTICE AND WORSHIP

In view of the decree of March 1st convoking the assemblies of the Royal Provinces of Emilia;

In view of the report of the Supreme Tribunal of Appeal in Bologna, March 14th, 1860, of which the result was:

| | | |
|---|---|---|
| Popolazione complessiva<br>(*Total population*) | 1,014,900 | |
| Inscritti<br>(*Registered*) | 252,727 | |
| Votanti<br>(*Voting*) | 203,384 | |
| Per l'annessione alla Monarchia costituzionale del Re Vittorio Emanuele II<br>(*For annexation to the Constitutional Monarchy of King Victor Emanuel II*) | | 202,659 |
| Pel Regno separato<br>(*For separate Kingdom*) | | 254 |
| Voti nulli<br>(*Void*) | | 471 |
| | | 203,384 |

Visto il rapporto del Supremo Tribunale di Revisione in Modena del 14 marzo 1860, dal quale risulta:

In view of the report of the Supreme Tribunal of Revision in Modena, March 14th, 1860, of which the result was:

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[1] *Le Assemblee*, vol. 1, p. 437.

| | | |
|---|---|---|
| Popolazione complessiva<br>(*Total population*) | 495,731 | |
| Inscritti<br>(*Registered*) | 131,527 | |
| Votanti<br>(*Voting*) | 108,798 | |
| Per l'annessione alla Monarchia costituzionale del Re Vittorio Emanuele II<br>(*For the annexation to the Constitutional Monarchy of King Victor Emanuel*) | | 108,336 |
| Pel Regno separato<br>(*For separate Kingdom*) | | 231 |
| Voti nulli<br>(*Void*) | | 231 |
| | | 108,798 |

Visto il rapporto del Tribunale d'appello in Massa del 14 marzo 1860, dal quale risulta:

In view of the report of the Tribunal of Appeal in Massa on March 14th, 1860, of which the result was:

| | | |
|---|---|---|
| Popolazione complessiva<br>(*Total population*) | 147,838 | |
| Inscritti<br>(*Registered*) | 36,814 | |
| Votanti<br>(*Voting*) | 23,584 | |
| Per l'annessione alla Monarchia costituzionale del Re Vittorio Emanuele II<br>(*For annexation to the Constitutional Monarchy of King Victor Emanuel*) | | 23,492 |
| Pel Regno separato<br>(*For Separate Kingdom*) | | 62 |
| Voti nulli<br>(*Void*) | | 30 |
| | | 23,584 |

Visto il rapporto della Regia Corte suprema di Revisione in Parma del 14 marzo 1860, dal quale risulta:

In view of the report of the Royal Supreme Court of Revision at Parma, March 14th, 1860, of which the result was:

| | | |
|---|---|---|
| Popolazione complessiva<br>(*Total population*) | 434,082 | |
| Inscritti<br>(*Registered*) | 107,435 | |
| Votanti<br>(*Voting*) | 88,692 | |
| Per l'annesione all Monarchia costituzionale del Re Vittorio Emanuele II<br>(*For annexation to the Constitutional Monarchy of King Victor Emanuel*) | | 88,511 |
| Pel Regno separato<br>(*For Separate Kingdom*) | | 181 |
| Voti Nulli<br>(*Void*) | | ...... |
| | | 88,692 |

Visto il rapporto del Tribunale civile e correzionale di Borgotaro del 14 marzo 1860, dal quale risulta:

In view of the report of the civil and correctional Tribunal of Borgotaro of March 14th, 1860, of which the result was:

| | | |
|---|---|---|
| Popolazione complessiva<br>*(Total population)* | 34,554 | |
| Inscritti<br>*(Registered)* | 7,715 | |
| Votanti<br>*(Voting)* | 3,054 | |
| Per l'annessione alla Monarchia costituzionale Re Vittorio Emanuele II<br>*(For annexation to the Constitutional Monarchy of King Victor Emanuel)* | | 3,008 |
| Pel Regno separato<br>*(For Separate Kingdom)* | | 28 |
| Voti nulli<br>*(Void)* | | 18 |
| | | 3,054 |

Manda a pubblicare il seguente *definitivo risultamento:*

Commands that there be published the following final result:

| | | |
|---|---|---|
| Totale delle popolazioni delle Regie Provincie dell'Emilia<br>*(Total population of the Royal Provinces of Emilia)* | 2,127,105 | |
| Totale degli inscritti<br>*(Total number of registered voters)* | 526,218 | |
| Totale dei votanti<br>*(Total number of those voting)* | 427,512 | |
| Per l'annessione alla Monarchia costituzionale del re Vittorio Emanuele<br>*(For annexation to the Constitutional Monarchy of King Victor Emanuel)* | | 426,006 |
| Pel Regno separato<br>*(For Separate Kingdom)* | | 756 |
| Voti Nulli<br>*(Void)* | | 750 |
| | | 427,512 |

Modena dal Ministero di grazia, giustizia e culti, addì 15 marzo 1860.

CHIESI

Modena, at the Ministry of Grace, Justice and Worship, March 15th, 1860.

CHIESI

### *Formal Presentation of the Results of the Plebiscite of Emilia to King Victor Emanuel II and His Reply* [1]

" SIRE!

" Ho l'onore di deporre nelle mani di Vostra Maestà i documenti legali

" SIRE!

" I have the honor of placing in the hands of Your Majesty the legal

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[1] *Le Assemblee,* vol. 1, p. 439. Farini was spokesman for the delegation.

del suffragio universale dei popoli dell'Emilia. La Maestà Vostra che ne sentì pietosamente le grida di dolore, ne accolga benignamente il pegno di gratitudine e di fede. Appagati dei legittimi voti, quei popoli, O Sire, non avranno altro desiderio che quello di benemeritare della Maestà Vostra e dell'Italia, emulando nelle civili e nelle militari virtù gli altri popoli della vostra Monarchia costituzionale."

Ultimata la lettura, piegava di nuovo la carta del discorso, e la rimetteva, insieme col fascio delle altre carte che contenevano i documenti legali del suffragio dei popoli dell' Emilia, nelle mani del Re, che, dopo averli ricevuti, leggeva con voce ferma e gagliarda questo discorso:

. . . . .

" Accetto il solenne il loro voto, e da quindi innanzi mi glorierò di chiamarli miei popoli.

" Aggregando alla Monarchia costituzionale di Sardegna e pareggiando alle altre sue provincie non solo gli Stati modenesi e parmensi, ma eziandio le Romagne, che già si erano da sè medesime separate dalla signoria pontificia, io non intendo di venir meno a quella devozione verso il capo venerabile della Chiesa che fu e sarà sempre viva nell'animo mio.

" Come principe cattolico e come principe italiano, io sono pronto a difendere quella indipendenza necessaria al supremo di lui ministero, a contribuire allo splendore della sua

documents regarding the universal suffrage of the people of Emilia. May Your Majesty, who pitifully felt their cry of sorrow, accept benignly this proof of gratitude and trust. Satisfied with these legal votes, these people, oh Sire, will have no other wish than that of deserving well of Your Majesty and of Italy and of emulating in civil and military virtue the other peoples of your Constitutional Monarchy."

His speech finished, he folded up the document of the discourse and gave it, together with a package of other papers which contained the legal documents of the suffrage of the people of Emilia, into the hands of the King, who after having received them, read, with a firm strong voice, this discourse:

. . . . .

" I accept their solemn vote, and henceforth I will glory in calling them my people.

" By uniting them to the Constitutional Monarchy of Sardinia, and putting on an equal footing with the other provinces not only the states of Modena and Parma, but also Romagna, which already had separated by its own accord from the pontifical dominion, I do not mean to give less devotion to the Venerable Head of the Church which was and always will be alive in my mind.

" As a catholic prince and as an Italian prince, I am ready to defend that independence necessary to his supreme ministry, to contribute to the splendor of his Court, and to pay

Corte, e a prestare omagio all'alta sua sovranità.

"Il Parlamento sta per adunarsi. Questo, accogliendo nel suo seno i rappresentanti dell'Italia centrale insieme con quelli della Lombardia e del Piemonte, assoderà il nuovo Regno e ne assicurerà viemmaggiormente la prosperità, la libertà e l'indipendenza."

homage to his High Sovereignty.

"Parliament is ready to assemble. This body, gathering to itself the representatives of Central Italy, together with those of Lombardy and Piedmont, will strengthen the new Kingdom and will secure for it infinitely greater prosperity, liberty and independence."

### *Royal Decree Accepting the Popular Vote of Emilia and Uniting it to the Sardinian State. March* 18, 1860[1]

VITTORIO EMANUELE II

RE DI SARDEGNA, DI CIPRO E DI GERUSALEMME, ECC., ECC.

Visto il risultamento della votazione universale tenutasi nelle provincie dell'Emilia, dalla quale risulta essere generale il voto di quelle popolazion di unirsi al nostro Stato;

Udito il Nostro Consiglio dei ministri;

Abbiamo decretato e decretiamo:

ART. 1. Le provincie dell'Emilia faranno parte integrante dello Stato dal giorno della data del presente decreto.

ART. 2. Il presente decreto verrà presentato al Parlamento per essere convertito in legge.

I Nostri ministri sono incaricati dell'esecuzione del presente decreto il quale, munito del sigillo dello Stato, sarà inserito nella Raccolta degli Atti

VICTOR EMANUEL II

KING OF SARDINIA, CYPRUS AND JERUSALEM, ETC., ETC.

In view of the result of the universal vote held in the provinces of Emilia which shows that the desire of these people to be united to our state is a general one;

Having heard our Council of Ministers;

We have decreed, and decree;

ARTICLE 1. The provinces of Emilia shall form an integral part of the state from the day of the date of the present decree.

ART. 2. The present decree shall be presented to Parliament for conversion into law.

Our ministers are charged with the execution of the present decree which, sealed with the state seal, shall be inserted in the collection of

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[1] *Le Assemblee*, vol. 1, p. 440. This decree and the one relating to Tuscany, in the same language, were presented to the Italian Parliament on the 12th of April, 1860, and were voted by the Chamber of Deputies on the 13th and by the Senate on the 14th following.

del Governo e pubblicato nelle provincie dell'Emilia.

*Dato a Torino, addì* 18 *marzo* 1860.

VITTORIO EMANUELE,
C. Cavour.

government documents and published in the Provinces of Emilia.

*Done at Turin on the* 18th *day of March,* 1860.[1]

VICTOR EMANUEL,
C. Cavour.

## Savoy and Nice, 1860

### *Napoleon III Asserts the Claim of France to Savoy on the Opening of the Legislative Chambers. March* 1, 1860 [1]

Messieurs les Sénateurs, Messieurs les Députés,

A l'overture de la dernière session, confiant dans le patriotisme de la France, je tenais à prémunir vos esprits contre les appréhensions exagérées d'une guerre probable. Aujourd'hui j'ai à coeur de vous rassurer contre les inquiétudes suscitées par la paix même. Cette paix, je la veux sincèrement, et ne négligerai rien pour la maintenir.

. . . . .

La pensée dominante du Traité de Villafranca était d'obtenir l'indépendance presque complète de la Vénétie au prix de la restauration des Archiducs. Cette transaction ayant échoué, malgré mes plus vives instances, j'en ai exprimé mes regrets à Vienne comme à Turin; car la situation, en se prolongeant, menaçait de demeurer sans issue. Pendant qu'elle était l'objet d'explications loyales entre mon Gouvernement et celui de l'Autriche,

Messieurs les Sénateurs, Messieurs les Deputés,

On the opening of last session, relying upon the patriotism of France, I endeavoured to fortify your minds in advance against the exaggerated apprehensions of a probable war. To-day I have at heart to reassure you against the anxiety caused by peace itself. That peace I desire sincerely, and shall neglect nothing to maintain it.

. . . . .

The dominant idea of the Treaty of Villafranca was to obtain the almost complete independence of Venetia at the price of the restoration of the Archdukes. That transaction having failed, despite my most earnest endeavors, I have expressed my regret at Vienna as well as at Turin; for the situation, by being prolonged, threatened to lead to no issue. While it was the object of loyal explanations between my Gov-

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2638], p. 19.

elle inspirait à l'Angeleterre, à la Prusse, et à la Russie, des démarches dont l'ensemble atteste clairement, de la part des Grandes Puissances, le désir d'arriver à la conciliation de tous les intérêts. Pour seconder ces dispositions, il importait à la France de présenter la combinaison dont l'adoption avait le plus de chance d'être accepté par l'Europe. Garantissant par mon armée l'Italie contre l'intervention étrangère, j'avais le droit de marquer les limites de cette garantie. Aussi n'ai-je pas hésité à déclarer au Roi de Sardaigne que, tout en lui laissant l'entière liberté de ses actes, je ne pourrais pas le suivre dans une politique qui avait le torte de paraître, aux yeux de l'Europe, vouloir absorber tous les Etats de l'Italie, et qui menaçait de nouvelles conflagrations. Je lui ai conseillé de répondre favorablement aux vœux des provinces qui s'offraient à lui, mais de maintenir l'autonomie de la Toscane, et de respecter en principe les droits du Saint Siège. Si cet arrangement ne satisfait pas tout le monde, il a l'avantage de réserver les principes, de calmer les appréhensions, et il fait du Piémont un Royaume de plus de 9,000,000 d'âmes.

En présence de cette transformation de l'Italie du Nord, qui donne à un Etat puissant tous les passages des Alpes, il était de mon devoir, pour la sûreté de nos frontières, de réclamer les versants Français des montagnes. Cette revendication d'un territoire de peu d'étendue n'a rien qui doive

ernment and that of Austria, it suggested to England, to Prussia, to Russia, measures the whole of which clearly prove on the part of the Great Powers their desire to obtain a reconciliation of all the interests.

To second these dispositions, it was necessary for France to present that combination the adoption of which would have the greatest chance of being accepted by Europe. Guaranteeing Italy by my army against foreign intervention, I had the right to assign the limits of that guarantee. Therefore I did not hesitate to declare to the King of Sardinia that, while leaving him full liberty of action, I could not follow him in a policy which had the fault of appearing in the eyes of Europe a desire to absorb all the States of Italy, and which threatened new conflagrations. I counselled him to reply favourably to the wishes of the provinces which should offer themselves to him, but to maintain the independence of Tuscany, and to respect in principle the rights of the Holy See. If this arrangement does not satisfy everybody, it has the advantage of reserving principles, of calming apprehensions, and makes Piedmont a kingdom of more than 9,000,000 souls.

Looking to this transformation of Northern Italy, which gives to a powerful State all the passes of the Alps, it was my duty, for the security of our frontiers, to claim the French slopes of the mountains. This reassertion of a claim to a territory of small extent has nothing in

alarmer l'Europe et donner un démenti à la politique de désintéressement que j'ai proclamée plus d'une fois, car la France ne veut procéder à cet agrandissement, quelque faible qu'il soit, ni par une occupation militaire, ni par une insurrection provoquée, ni par de sourdes manœuvres, mais en exposant franchement la question aux Grandes Puissances. Elles comprendront, sans doute, dans leur équité, comme la France le comprendrait certainement pour chacune d'elles en pareille circonstance, que l'important remaniement territorial qui va avoir lieu nous donne droit à une garantie indiquée par la nature elle-même.

. . . . .

it of a nature to alarm Europe, and give a denial to the policy of disinterestedness which I have proclaimed more than once; for France does not wish to proceed to this aggrandizement, however small it may be, either by military occupation or by provoked insurrection, or by underhand manoeuvres, but by frankly explaining the question to the Great Powers. They will doubtless understand in their equity, as France would certainly understand it for each of them under similar circumstances, that the important territorial rearrangement which is about to take place gives us a right to a guarantee indicated by Nature herself.

. . . . .

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## *Answer of Sardinia to France Agreeing to the Principle of Self-Determination* [1]

Count Cavour to M. Nigra

*Turin, le* 3 *mars,* 1860.

M. le Chevalier,

Dans sa dépêche du 24 février, M. Thouvenel charge M. de Talleyrand d'appeler l'attention du Governement du Roi sur la question de la Savoie et de Nice. Il considère que d'après les traditions historiques fort répandues, la formation d'un Royaume puissant au pied des Alpes serait défavorable aux intérêts de la France, et présenterait pour elle un véritable danger si ses frontières n'étaient étendues et fortifiées dans cette direction.

*Turin, March* 3, 1860.

M. le Chevalier,

In his despatch of the 24th of February, M. de Thouvenel directs M. de Talleyrand to call the attention of the King's Government to the question of Savoy and Nice. He considers that according to widely spread historical traditions, the formation of a powerful kingdom at the foot of the Alps would be unfavourable to the interests of France, and would present a real danger to her, if her frontiers were not extended and fortified in that direction.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2638], p. 39.

M. Thouvenel s'empresse toutefois d'ajouter qu'il n'est nullement dans l'intention du Gouvernement de l'Empereur de réclamer des changements territoriaux qui seraient contraires aux vœux des populations, et de le faire sans tenir compte des intérêts de la Suisse et sans avoir consulté les Grandes Puissances de l'Europe.

Je ne m'arrêterai pas à examiner la valeur des traditions historiques auxquelles M. Thouvenel fait allusion. Je suis loin de croire que l'agrandissement de la Sardaigne puisse jamais constituer un danger pour la France, à laquelle les derniers événements nous rattachent pas les liens de la reconnaissance et de l'amitié. Cependant nous avons trop de sentiment de ce que l'Italie doit à l'Empereur pour ne pas accorder la plus sérieuse attention a une demande qui repose sur le principe du respect des vœux des populations. Le Gouvernement de Sa Majesté ne consentirait jamais, même en vue de plus grands avantages, à céder ou échanger aucune des parties du territoire qui forme depuis tant de siècles l'apanage glorieux de la Maison de Savoie. Mais il ne pourrait s'empêcher de prendre en considération les changements que les événements qui se sont succédés en Italie auraient apportés dans la situation des populations de la Savoie et de Nice. Au moment où nous réclamons hautement pour les habitants de l'Italie Centrale le droit de disposer de leur sort, nous ne saurions, sans encourir le reproche d'inconséquence

M. de Thouvenel hastens to add that it is by no means the intention of the Government of the Emperor to demand territorial changes which would be contrary to the wishes of the people, or to effect the change without paying regard to the interests of Switzerland, and without having consulted the Great Powers of Europe.

I will not stop to examine the value of the historical traditions to which M. de Thouvenel alludes. I am far from thinking that the aggrandizement of Sardinia could ever constitute a danger for France, to whom the late events attach us by the ties of gratitude and friendship; nevertheless we are too sensible of what Italy owes to the Emperor, not to give the most serious attention to a request which rests on the principle of respect for the wishes of the people. The Government of His Majesty would never consent, even with a view to the greatest advantages, to cede or exchange any portion of the territory which has formed for so many ages the glorious appanage of the House of Savoy; but the King's Government cannot refrain from taking into consideration the changes which the events that have taken place in Italy have caused with respect to the situation of the People of Savoy and Nice. At the moment when we are loudly demanding for the inhabitants of Central Italy the right of disposing of their lot, we could not, without incurring the reproach of inconsistency and injuset d'injustice, refuser aux sujets du Roi qui habitent au delà des Alpes le droit de manifester librement leur volonté.

Quelques vifs que seraient les regrets que nous éprouverions si les provinces qui ont été le berceau glorieux de la Monarchie pouvaient se décider à réclamer leur séparation d'avec le reste des Etats du Roi pour s'associer à d'autres destinées, nous ne nous refuserions pas à reconnaître la valeur de cette manifestation.

Les déclarations de M. Thouvenel relativement aux Grandes Puissances et à la Suisse sont de nature à prévenir toute fausse interprétation et à aplanir bien des difficultés. Ces déclarations, qui sont inspirées par un sentiment si élevé d'équité et de justice, ne nous laissent d'ailleurs aucun doute que dans toute hypothèse le soin de laisser à la Sardaigne, aussi bien qu'à la France, une ligne de frontière convenable présiderait à ces négociations.

Veuillez, M. le Chevalier, donner lecture et laisser copie de cette dépêche à son Excellence le Ministre des Affaires Etrangères; et agréez, &c.

(Signé) C. Cavour.

tice, refuse the subjects of the King living beyond the Alps the right of freely manifesting their wishes.

However lively might be the regrets which we should feel, if the provinces which have been the glorious cradle of the Monarchy should decide upon demanding their separation from the rest of the King's States in order to associate themselves with other destinies, we should not refuse to recognize the value of that manifestation.

The declarations of M. de Thouvenel relative to the Great Powers, and to Switzerland, are of a nature to prevent any false interpretations, and to smooth over many difficulties. These declarations, which are inspired by such a high feeling of equity and justice, leave us, moreover, no doubt that in any hypothesis the care of leaving to Sardinia as well as to France a suitable line of frontier will preside over these negotiations.

Be so good, M. le Chevalier, as to read to, and leave a copy of this despatch with, his Excellency the Minister for Foreign Affairs, and accept, &c.

(Signed) C. Cavour.

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## *Proclamation by the Governor of Annecy Announcing that there will be a Popular Vote. March* 8, 1860 [1]

La question des remaniements territoriaux, soulevée d'abord par les

The question of redistributions of territory, originally raised in the journaux et tout récemment traitée dans les documents officiels, pouvait justifier votre anxiété sur l'avenir de votre noble patrie.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 3.

Cependant, la loyauté et la justice qui ont toujours présidé aux actes du Gouvernement du Roi aurait dû vous prémunir contre des alarmes exagérées.

Préoccupé de votre pénible perplexité, je suis heureux maintenant de pouvoir vous apprendre que vous allez être vous-mêmes les arbitres de vos destinées.

Vous serez appelés à manifester vos vœux dans la forme légale que le Parlement déterminera.

Vous aurez vous-même à choisir entre le Piémont, auquel vous unissent les liens d'une affection séculaire, et la nation qui, par les rapports d'intérêts que crée le voisinage et par les secours généreux qu'elle nous a données dans la dernière guerre, a tant de titres à vos sympathies.

Savoisiens!

Je connais trop vos sentiments pour douter un seul instant que vous n'apportiez dans cet acte solennel cet esprit d'ordre et de modération dont vous avez déjà donné tant de preuves dans d'autres circonstances. Si l'élément le plus précieux de toute délibération est la liberté, l'ordre est une condition non moins essentielle de toute votation populaire.

Notre magnanime Roi ne saurait se

journals, and quite recently treated of in official documents, might have justified your anxiety regarding the future of your noble fatherland.

Nevertheless, the loyalty and the justice which have ever presided over the acts of the King's Government ought to have warned you beforehand against exaggerated alarms.

Having been already concerned for your painful perplexity, I am now happy that I have it in my power to acquaint you that you are yourselves about to become the arbiters of your destiny.

You will be summoned to declare your wishes by a legal formality which will be determined on by the Parliament.

You will have to choose for yourselves between Piedmont, to which you are united by ancient bonds of attachment, and the nation which, from the relations of common interests which neighbourhood creates, and from the generous succour which she has given us in the late war, has so great a title to your sympathies.

Savoyards!

I know your sentiments too well to doubt for a single instant that you will display, in this solemn act, that spirit of order and moderation of which you have already, under other circumstances, given so many proofs. If the most precious element that can enter into any deliberation be liberty, order is no less an essential condition of all popular voting.

Our magnanimous King could not

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|---|---|
| décider à se séparer des provinces qui ont été le berceau glorieux de la monarchie que par déférence à leurs désirs exprimés d'une manière pacifique et régulière. | resolve to separate from himself those provinces which have been the glorious cradle of the Monarchy, except out of deference to their wishes expressed in a peaceful and regular manner. |
| Rien ne l'affligerait plus que des troubles qui empêcheraient de connaître quelle est réellement la volonté des populations. | Nothing would grieve him more than disorders which should prevent the true will of the population from being ascertained. |
| Savoisiens! | Savoyards! |
| Vous ne mentirez pas à votre passé! | You will not belie your past! |
| Vous garderez tous, j'en suis sûr, cette attitude calme et digne qui convient à des citoyens appelés à se prononcer librement sur le sort de leur patrie. | You all will, I am sure of it, preserve that calm and becoming attitude which befits citizens summoned to pronounce freely upon the destiny of their native land. |
| *Annecy, le* 8 *mars,* 1860. | *Annecy, March* 8, 1860. |
| *Le Gouverneur,* | *The Governor,* |
| (Signé) MAGGI. | (Signed) MAGGI. |

### *Dispatch of the British Ambassador at Paris to Lord John Russell* [1]

Earl Cowley to Lord J. Russell

(Extract) *Paris, March* 9, 1860.

I was surprised, on calling this morning on M. Thouvenel, to find that he had been for two days in possession of M. de Cavour's reply to that part of his Excellency's despatch of the 24th ultimo which related to the annexation of Savoy to France.

I proceeded, in compliance with the instructions contained in your Lordship's despatch of the 6th instant, to ask his Excellency in what manner the promise of the Emperor, that the Great Powers should be consulted on this matter, is to be carried into effect.

M. Thouvenel replied, that the Sardinian Government having declared that they would not object to the annexation of Savoy to France, if such should be the wish of the Savoyards themselves, he was about to draw up a despatch which would be addressed to the Imperial Representatives at the Courts, parties to the Treaties of 1815, explaining the wishes of the Imperial Government, and the reasons why it was considered that these wishes should be acceded to. His Excellency thought that this despatch would be sent off on Tuesday or Wednesday next.

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[1] *British Parliamentary Papers,* Affairs of Italy [2638], p. 41.

With regard to your Lordship's second question,— whether there should be a previous vote in Savoy and Nice,— M. Thouvenel replied that the Imperial Government adhered to the principle of consulting the wishes of the inhabitants of those two countries. In what manner and at what period this appeal was to be made, he could not now state; but, as at present advised, he should say that the communication to the Powers would precede the vote. He reserved to himself, however, to act in this matter as circumstances might require. Should the vote be unfavourable, he had no hesitation, in reply to your Lordship's third question, in stating that the project of annexation would fall to the ground. Your Lordship's fourth question is answered under the first. . . .

## *Proclamation by the Governor of Chambéry. March* 10, 1860 [1]

HABITANTS DE LA PROVINCE DE CHAMBÉRY!

Envoyé ici par le Gouvernement du Roi dans le but de resserrer davantage les anciens liens qui unissent ces populations à la Monarchie, je ne pouvais prévoir des événements qui me sont étrangers, et qui rendent si difficile l'accomplissement de ma mission.

Il y a quelque temps qu'une sourde agitation s'est emparée de l'esprit des populations de la Savoie. Cette agitation a eu d'abord pour cause la question des remaniements territoriaux soulevée par les journaux et ensuite la publication récente de documents officiels, qui ont fait naître une pénible anxiété sur le sort de votre noble patrie.

Préoccupé de vos destinées, le Gouvernment du Roi, qui jamais ne

INHABITANTS OF THE PROVINCE OF CHAMBERY!

Being sent here by the King's Government for the purpose of binding more closely together the ancient ties which unite these populations to the Monarchy, I could not foresee events which are new to me, and which make the accomplishment of my mission so difficult.

Some time ago, a secret agitation seized upon the minds of the population of Savoy. The first cause of this agitation was the question of territorial alterations, stirred up by the newspapers, and, afterwards, the publication of official documents, which have caused a painful anxiety to be felt respecting the fate of your noble country.

Preoccupied with your destinies, the King's Government, which has

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[1] Text and translation from *British Parliamentary Papers*, Affairs of Italy [2702], p. 1.

s'est éloigné des voies de la justice et de la loyauté, avant de prendre aucune résolution, fera appel à une sincère manifestation des vœux des populations, selon la forme légale que le Parlement du Royaume voudra établir.

Vous serez alors appelés à choisir entre cette ancienne Monarchie de Savoie, à laquelle vous unissent une affection séculaire et un dévouement sans bornes, et la nation, qui a tant de titres à vos sympathies, soit à raison de son voisinage, soit à raison de bienfaits récents.

Quelque vif que serait au cœur du Roi le regret qu'il éprouverait si les provinces qui ont été le berceau glorieux de la Monarchie pouvaient se décider à se séparer d'avec le reste des Etats, il ne se refuserait pas à reconnaître la valeur de cette manifestation, exprimée d'une manière pacifique et régulière; mais rien n'affligerait autant le cœur de notre magnanime Roi que si, en faisant loyalement appel à vos vœux, des désordres venaient troubler la solennelle manifestation demandée franchement à ces populations, et empêcher en même temps de connaître réellement votre volonté.

Prêt à maintenir l'ordre et le respect aux lois, je compterai en tout cas sur l'attitude calme et tranquille qui convient à un peuple qui doit se prononcer sur le sort de sa patrie.

Chambéry, le 10 mars, 1860.

*Le Gouverneur,*

(Signé) Orso Serra.

never wandered from the paths of justice and loyalty, before taking any resolution, will appeal to a sincere manifestation of the wishes of the population, according to the legal form which the Parliament of the kingdom shall wish to establish.

You will then be called upon to choose between this ancient Monarchy of Savoy, to which you are united by old affection and by unlimited devotion, and the nation which has so many claims on your sympathies, whether on account of its neighbourhood or on account of recent benefits. However great might be the regret felt by the King, if the provinces which have been the glorious cradle of his kingdom should decide to separate themselves from the rest of his States, he would not refuse to recognize the value of this manifestation, expressed in a peaceful and regular manner; but nothing would afflict the heart of our magnanimous King more, than if, whilst loyally appealing to your wishes, disorders should trouble the solemn manifestation asked of this population, and, at the same time, prevent your will from being really known.

Ready to maintain order and respect for the laws, I shall expect, under all circumstances, that calm and tranquil conduct which is suited to a people about to pronounce on the fate of their native country.

Chambery, March 10, 1860.

*The Governor,*

(Signed) Orso Serra.

## *Protest of the Swiss Government Against the Annexation of Savoy to France* [1]

### Dr. Kern to M. Thouvenel

*Paris, le* 15 *mars,* 1860.

M. le Ministre,

En suite d'une dépêche de Berne, je dois informer votre Excellence que le Conseil Fédéral a adressé au Gouvernement de Sa Majesté le Roi de Sardaigne une note, où il demande l'observation des stipulations du Traité de 1564, confirmé par le Traité du 16 mars, 1816, entre la Sardaigne et la Suisse, en tant qu'elles touchent la cession du territoire actuel de la Savoie à une autre Puissance.

Je dois observer que mon Gouvernement regarde tout particulièrement toute annexion des Provinces neutralisées du Chablais, du Faucigny, et du Génévois, à une autre Puissance, comme étant en contradiction avec les stipulations des Traités de 1815, qui garantissent ces Provinces, dans l'intérêt de la neutralité Suisse, comme si elles étaient une partie intégrante de la Confédération en déclarant "qu'elles doivent jouir de la neutralité de la Suisse de la même manière que si elles appartenaient à celle-ci."

En attendant, mes instructions m'imposent le devoir, en me référant aux considérations que j'ai eu l'honneur de vous exposer dans l'audience que vous avez bien voulu m'accorder le 13 mars, de protester formellement, au nom de la Confédération Suisse, contre toute mesure qui aurait

*Paris, March* 15, 1860.

M. le Ministre,

In compliance with a despatch from Berne, it is my duty to inform your Excellency that the Federal Council has addressed to His Majesty the King of Sardinia a note, in which it demands the observation of the stipulations of the Treaty of 1564, confirmed by the Treaty of the 16th of March, 1816, between Sardinia and Switzerland, so far as they affect the session of the existing Savoyard territory to another Power.

I must observe, that my Government most distinctly regards any annexation of the neutralized Provinces of Chablais, Faucigny, and the Genevese to another Power as being in contradiction to the stipulations of the Treaties of 1815, which guarantee those Provinces, in the interest of Swiss neutrality, as if they were an integral portion of the Confederation, declaring " that they are to benefit by the neutrality of Switzerland in the same way as if they belonged to her."

Meanwhile, my instructions impose on me the duty, referring to the reasons which I had the honour to state to you at the audience which you were good enough to grant me on the 13th of March, to protest formally, in the name of the Swiss Confederation, against any measure

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[1] Text and translation from *Parliamentary Papers,* Affairs of Italy [2702], p. 4.

pour but d'annexer ces Provinces à la France, jusqu'à ce que les Puissances de l'Europe, auxquelles le Gouvernement Impérial lui-même a déclaré vouloir soumettre cette question ce soient prononcées.

Je profite, &c.

KERN.

which should have for its object the annexation of those provinces to France, until the Powers of Europe, to whom the Imperial Government itself has declared its desire to submit this question, shall have pronounced their opinion.

I avail, &c.

KERN.

### *Views of the French Government on the Swiss Protest* [1]

M. Thouvenel to M. Tillos

*Paris, le* 13 *mars,* 1860.

MONSIEUR,

Le Conseil Fédéral, ne pouvant se dissimuler l'importance et l'unanimité des manifestations que provoque en Savoie l'éventualité d'un démembrement, a chargé M. Kern de me demander si le Gouvernement de l'Empereur persistait à ce sujet dans les intentions que je vous ai fait connaître. M. le Ministre de Suisse, durant notre entretien, m'a fait entendre que si la Confédération Helvétique ne devait obtenir ni le Chablais ni le Faucigny, il ne resterait à son Gouvernement qu'à protester auprès des Cours signataires des Traités de Vienna contre toute modification du *statu quo,* et à soulever, sans nulle hésitation, une question très grave et très embarrassante pour le Gouvernement de Sa Majesté Impériale.

Voici en substance ce que j'ai répondu à M. Kern : — . . .

*Paris, March* 13, 1860.

SIR,

The Federal Council, being unable to conceal from itself the importance and the unanimity of the manifestations which the prospect of a dismemberment has called forth in Savoy, instructed M. Kern to demand of me whether the Government of the Emperor persisted in the intentions, with regard to this subject, which I have communicated to you. The Swiss Minister, during our conversation, gave me to understand that if the Swiss Confederation was not to obtain either Chablais or Faucigny, it would only remain for his Government to protest at the Courts which signed the Treaties of Vienna, against any modification of the *status quo,* and to raise, without any hesitation, a question very grave and very embarrassing to His Imperial Majesty's Government.

What follows is the substance of my reply to M. Kern : . . .

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 6.

Nous avons voulu, dès l'origine, concilier tous les intérêts, et nous sommes encore prêts à entrer dans vos vues;.mais s'il nous est démontré que nous ne pourrons obtenir la Savoie, avec l'agrément et selon les vœux des populations, sans renoncer à en accepter le démembrement à votre avantage, nous nous soumettrons à cette condition, et le Conseil Fédéral reconnaîtra lui-même que nous ne saurions la décliner. Nous cherchons scrupuleusement à nous renseigner à cet égard et à connaître, aussi exactement que possible, les véritables dispositions des habitants sur ce point; ce qu'on ne peut nous demander, c'est de subordonner nous-mêmes la cession du territoire que nous jugeons indispensable pour la sécurité de nos frontières, à celle que sollicite le Gouvernement Fédéral, et de réussir ou d'échouer avec lui, en plaçant les populations dans l'obligation de se prononcer contre leur réunion à la France si elles ne veulent consentir à remettre à la Suisse une portion de la Savoie. Cette solution maintiendrait l'état de choses actuel qui convient à la Confédération; elle ne saurait convenir à la France, qui, sans avoir le Chablais et le Faucigny, perdrait également les autres districts devenus nécessaires à notre propre défense. Il y a, comme vous le voyez, une différence notable entre la position des deux Gouvernements et nous devons en tenir compte. L'agitation que soulève le partage de la Savoie ne se serait d'ailleurs produite à ce degré si, pendant que nous laissions aux

We wished, from the beginning, to conciliate all interests, and we are still ready to enter into your views: but if it is demonstrated to us that we cannot obtain Savoy, with the consent and according to the wishes of the Populations, without refusing to accept its dismemberment to your advantage, we will submit to this condition, and the Federal Council will itself admit that we could not decline it. We are scrupulously seeking to inform ourselves in this respect, and to ascertain, as clearly as possible, the true disposition of the inhabitants on this point; what cannot be demanded of us is, that we should ourselves make the cession of the territory which we consider indispensable for the security of our frontiers, subordinate to that which the Federal Government requires, and that we should succeed or fail with it, by placing the populations under the obligation of pronouncing against their union with France if they do not wish to consent to yield a portion of Savoy to Switzerland. This solution would maintain the existing state of things which suits the Confederation: it could not suit France, who, without gaining Chablais and Faucigny, would also lose the other districts become necessary for our own defence. There is, as you see, a notable difference between the position of the two Governments, and we should take this into account. Besides, the agitation excited by the partition of Savoy could not have been produced to the extent it has,

populations le soin d'apprécier librement leur véritable intérêt dans cette question, des émissaires Suisses n'eussent pas donné l'alarme et joint à leur propagande des menées qui ont eu pour effet de blesser le sentiment national. . . .

Tel est, Monsieur, le langage que j'ai tenu à M. Kern; je ne doute pas qu'il n'en rende un compte exact à son Gouvernement; je vous autorise, néanmoins, à donner lecture de cette dépêche à M. le Président du Conseil Fédéral.

Recevez, &c.
(Signé) THOUVENEL.

if, whilst we were leaving to the populations the care of freely comprehending their true interest in this question, Swiss emissaries had not given the alarm, and united with their propagandism intrigues, the effect of which was to wound the national feeling. . . .

Such, Sir, is the language which I held to M. Kern. I do not doubt his giving a correct account of it to his Government; nevertheless, I authorized you to read this despatch to the President of the Federal Council.

Receive, &c.
(Signed) THOUVENEL.

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## *Swiss Protest to Sardinia* [1]

### M. Tourte to Count Cavour

*Turin, le* 14 *mars,* 1860.

EXCELLENCE,

Le Conseil Fédéral, postérieurement à la date de la note dont je viens de vous donner lecture, a su que les Intendants de la Savoie ont publié à Chambéry et à Annecy des proclamations par lesquelles ils annoncent aux citoyens une votation prochaine relative à l'annexion de leur pays à la France.

En présence de cette manifestation officielle des intentions du Gouvernement Sarde, et sans prétendre s'opposer en principe à des rectifications de frontières qui peuvent être dans les convenances de la France et de la

*Turin, March* 14, 1860.

EXCELLENCY,

The Federal Council, after the date of the note which I have just read to you, was made aware that the Intendants of Savoy had published at Chambery and at Annecy, Proclamations by which they announce to the citizens an approaching vote relative to the annexation of their country to France.

In face of this official manifestation of the intentions of the Sardinian Government, and without pretending to oppose himself in principle to amendments of frontiers which may be suited to France and

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 18.

Sardaigne, et conformes aux vœux d'une partie des populations Savoisiennes, le Soussigné, faisant appel à la loyauté de Sa Majesté Victor Emanuel II, dont les ancêtres ont juré les Traités qu'invoque la Suisse, Traités religieusement observés par elle, demande au Gouvernement Sarde de ne pas procéder plus avant dans la voie qu'indiquent les proclamations affichés à Chambéry et Annecy, sans que des négociations soient ouvertes avec la Confédération Suisse, aux fins de préparer une solution des questions pendantes de nature à respecter les droits, tout en ménageant les intérêts bien entendus des limitrophes.

Tant qu'une entente avec la Suisse ne sera pas intervenue pour régler ce qui, aux termes des Traités, la concerne dans l'éventualité d'une cession de la Savoie à une autre Puissance, le Soussigné, au nom et par ordre du Conseil Fédéral, proteste contre toute votation, ou tout autre acte dont le résultat pourrait apporter un changement à l'état actuel des choses en Savoie.

Dans l'espoir que les légitimes réclamations de la Suisse seront accueillies par votre Excellence avec cette bienveillance qui a toujours caractérisé les rapports entre le Gouvernement du Roi et la Confédération, le Soussigné, &c.

(Signé) A. Tourte.

Sardinia, and in conformity to the wishes of a part of the Savoyard population, the Undersigned, appealing to the loyalty of His Majesty King Victor Emanuel II, whose ancestors swore to the Treaties which Switzerland now invokes,— Treaties which have been strictly observed by her,— demands of the Sardinian Government that they should not proceed further in the path which the Proclamations published at Chambery and Annecy point out, without opening negotiations with Switzerland, in order to prepare a solution of the pending questions of such a nature as to respect all rights, at the same time being careful of the clearly-recognized interests of the provinces on the border.

As long as an understanding with Switzerland shall not have been come to in order to arrange that which, in the terms of the Treaty, concerns it in the event of a cession of Savoy to another Power, the Undersigned, in the name of and by order of the Federal Council, protests against any voting, or any other act which would result in a change in the present state of affairs in Savoy.

Hoping that the legitimate demands of Switzerland will be received by your Excellency with that courtesy which has always distinguished the communications between the King's Government and the Confederation, the Undersigned, &c.

(Signed) A. Tourte.

## *Declaration Signed by Inhabitants of Northern Savoy, Asking for Union with Switzerland. March* 16, 1860[1]

Aux hautes Puissances!

Les Soussignés ont l'honneur d'exposer, au nom d'un grand nombre de leurs compatriotes, qu'appelés, comme ressortissants de la Monarchie Sarde, à voir se rompre définitivement les liens qui les unissaient à leur Roi et à manifester, en conséquence, les vœux qu'ils forment pour la reconstruction politique de leurs pays, ils croient devoir faire connaître aux Puissances, dont l'assentiment a été jusqu'ici nécessaire aux remaniements territoriaux en Europe, que les populations habitant la Savoie du nord ont déjà, en prévision d'une séparation regrettable de la Monarchie Sarde, témoigné hautement, par des adhésions personnelles et nombreuses, leur désir d'être, en ce cas, réunis à la Confédération Suisse, dont l'anciennes relations de bon voisinage, la communnauté des intérêts, des habitudes, des besoins, et des mœurs les a depuis longtemps intimement rapprochées.

Ce désir, qui dès lors a trouvé sa sanction dans les assurances données par les Gouvernements Français et Sarde que la volonté des populations comme les intérêts de la Suisse, qui possède des droits sur notre territoire, seraient pris en sérieuse considération, les autorise à réclamer de ceux à l'examen desquels le Chef du Gouvernement Français a déclaré que cette

To the High Powers!

The Undersigned have the honor to state, in the name of a large number of their compatriots, that being invited, as subjects of the Sardinian Monarchy, to see the bonds definitively broken which united them to their King, and to manifest, in consequence, the wishes which they form for the political reconstruction of their country, they think it their duty to inform the Powers whose assent has hitherto been necessary to territorial readjustments in Europe, that the populations inhabiting Northern Savoy have already, in anticipation of a separation, which they will regret, from the Sardinian Monarchy, clearly testified, by personal and numerous adhesions, their desire to be, in that case, annexed to the Swiss Confederation, with whom ancient relations of good neighborhood, community of interests, habits, wants, and manners, have long intimately connected them.

This desire, which has also found sanction in the assurances given by the French and Sardinian Governments, that the will of the populations, as well as the interests of Switzerland, who possesses rights over our territory, should be taken into serious consideration, authorizes them to claim from those to whose examination the Chief of the affaire doit être soumise, leur bienveillante attention et leur sérieux appui.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 32.

En conséquence, ils ont l'honneur de porter à la connaissance des Hautes Puissances le texte de la déclaration ci-jointe qui émane des Provinces du Chablais, du Faucigny, et du Génévois, avec les signatures déjà au nombre de plus de 11,000 recueillies jusqu'à ce jour dans les communes de ces trois provinces.

16 *Mars,* 1860.

*Les Présidents des Comités,*
(Signé)
JOSEPH BARD, *Avocat, Bonneville,*
TH. A. BETEMPS, *Ingénieur-Géographe, Thonon.*
HENRI FAURAX, *Avocat, St. Julien.*

(Des adresses particulières ont été envoyées à leurs Majestés le Roi de Sardaigne et l'Empereur des Français, ainsi qu'au Conseil Fédéral).

### DÉCLARATION DES HABITANTS DU NORD DE LA SAVOIE

Les Souissignés, habitant la Commune de ..............., province de ..................., inquiets des bruits qui se répandent, et d'après lesquels la Savoie cesserait de faire partie des Etats de Sa Majesté Sarde, désirent consigner ici l'expression de leur dévouement au Roi, et le vœu qu'ils forment de ne voir aucun changement apporté a leur union avec la Monarchie Sarde.

Mais, d'autre part, et dans le cas où des raisons politiques dont ils ne veu-

French Government has declared that this affair must be submitted, their kind attention and their serious support.

Consequently, they have the honour to bring to the knowledge of the High Powers the text of the annexed declaration, which emanates from the provinces of Chablais, Faucigny, and the Genevese, with the signatures collected up to this day in the communes of these three provinces, amounting already to the number of more than 11,000.

*March* 16, 1860.

*The Presidents of the Committees,*
(Signed)
JOSEPH BARD, *Advocate, Bonneville,*
TH. A. BETEMPS, *Geographical Engineer, Thonon.*
HENRY FAURAX, *Advocate, St. Julien.*

(Special Addresses have been sent to their Majesties the King of Sardinia and the Emperor of the French, as well as to the Federal Council).

### DECLARATION OF THE INHABITANTS OF NORTHERN SAVOY

The Undersigned, inhabitants of the commune of ............, province of ..............., disturbed by the rumors which are current, and according to which Savoy would cease to form part of the States of His Sardinian Majesty, desire to record here the expression of their devotion to the King, and the wish which they form not to see any change made in their union with the Sardinian Monarchy.

But, on the other hand, in case political reasons, of which they do not

lent point se faire juges, rendraient une séparation inévitable, ils sont convaincus que leur Souverain ne disposera pas de sujets fidèles, sans leur avoir permis de manifester leurs vœux, dans une circonstance aussi importante pour leur avenir.

En conséquence, et malgré les sympathies que peut éveiller un grand et glorieux Empire, ils témoignent expréssement leur désir d'être réunis à la Confédération Suisse, de laquelle les rapprochent dès longtemps la communauté des intérêts et des sentiments, ainsi que les relations de bonne amitié dont ils ont reçu tant de preuves.

[Signed by 11,052 individuals.]

wish to constitute themselves judges, should render a separation inevitable, they are convinced that their Sovereign will not dispose of faithful subjects without having permitted them to manifest their wishes in a matter so important for their future.

Consequently, and in spite of the sympathies which a great and glorious Empire may excite, they expressly testify their desire to be annexed to the Swiss Confederation, to which they have been long attached by community of interests and sentiments, as well as by the relations of friendship of which they have received so many proofs.

[Signed by 11,052 individuals.]

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### *Address to Napoleon III by a Deputation from the Provincial and Municipal Councils of Savoy, Protesting against the Separation of Chablais and Faucigny. March* 21, 1860 [1]

*Paris, le* 21 *mars,* 1860.

L'Empereur a reçu aujourd'hui aux Tuileries une Députation de Conseillers Provinciaux de la Savoie, et de Conseillers Municipaux des villes principales, chargés de présenter à Sa Majesté les Adresses de leurs concitoyens au sujet de l'annexion.[2]

*Paris, March* 21, 1860.

The Emperor received to-day, at the Tuileries, a deputation of Provincial Councillors of Savoy, and Municipal Councillors of the principal towns, charged to present to His Majesty the Addresses of their fellow-citizens on the subject of the annexation.[1]

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[1] Text and translation from *British Parliamentary* Papers, Affairs of Italy [2702], p. 25; Extract from the *Moniteur* of March 22, 1860.

[2] Note in Parliamentary Papers: Les deux Conseils Provinciaux de la Savoie sont nommés par le suffrage de tous les habitants payant 5 francs de contributions dans les communes rurales et un cens proportionnel dans les villes et bourgs. Il y à un mois à peine que les Conseils d'Annecy et de Chambéry ont été renouvelés.

Translation: The two provincial Councils of Savoy are named by the vote of all the inhabitants paying 5 francs of taxes in the rural communes, and a proportional rate in the towns and boroughs. It is scarcely a month since the Councils of Annecy and Chambery were renewed.

Sa Majesté l'Impératrice assistait à cette réception, ainsi que son Altesse Impériale le Prince Impérial.

Leurs Majestés étaient entourées des officiers et dames de service.

Le Président de la Députation, M. le Comte Greyfié de Bellecombe, a donné lecture à Sa Majesté de l'Adresse suivante: —

" Sire,

" En approchant de votre Majesté, un premier sentiment nous domine tous: c'est celui de notre profonde admiration pour le Souverain qui, après avoir été élu par la France entière, a su en augmenter encore la gloire et la prospérité.

" Sire, tant de liens naturels, tant de glorieux souvenirs, tant de sympathies unissent la Savoie à la France, qu'elle a tressailli de bonheur lorsque la parole auguste de votre Majesté a donné à esperer a notre partie qu'elle allait être appelée à faire partie de la grande famille Française, avec l'assentiment de son légitime Souverain.

" Une seule préoccupation a pu en arrêter jusqu'ici l'élan: c'est la crainte de voir démembrer en faveur de la Suisse une nationalité compacte par l'affection et par tant de liens de tout genre.

" Les Conseillers Provinciaux qui représentent la Savoie nous ont chargés, Sire, de venir déposer aux pieds de votre Majesté l'instante prière d'éloigner de notre partie un pareil malheur, et les Conseillers Municipaux des villes principales ont

Her Majesty the Empress assisted at this reception, as well as His Imperial Highness the Prince Imperial.

Their Majesties were surrounded by officers and ladies in waiting.

The President of the Deputation, Count Greyfié de Bellecombe, read to His Majesty the following Address:—

" Sire,

" In approaching your Majesty, the chief sentiment which inspires us all is that of. profound admiration for the Sovereign who, after having been elected by entire France, has known how to augment her glory and her prosperity.

" Sire, so many natural ties, so many glorious recollections, so many sympathies unite Savoy to France, that she trembled with happiness when your Majesty's august word gave our party the hope that she was to be invited to form part of the great French family, with the consent of her legitimate Sovereign.

" Only one doubt has had the power of hitherto arresting our enthusiasm; it was the fear of seeing dismembered, in favour of Switzerland, a nationality compact by affection and by so many bonds of every description.

" The Provincial Councillors who represent Savoy have charged us, Sire, to deposit at your Majesty's feet the urgent prayer to avert such a misfortune from our party; and the Municipal Councillors of the princivoulu joindre leurs députations à la nôtre.

" Sire,

" Votre Majesté appréciera la réserve imposée à des corps constitués, à des hommes qui ont toujours été les fidèles sujets de leur Roi, comme ils le seront de votre Majesté. Mais, après les actes du Gouvernement du Roi, il nous sera permis sans doute d'adresser à votre Majesté l'expression des sentiments que nous éprouvons pour la France, auprès de laquelle la Savoie trouvera non seulement la grandeur et la gloire, mais encore la sympathie et la sauvegarde de tous ses intérêts moraux et matériels.

" Des bords du Lac Léman aux vallées du Mont Cenis, ceux qu'ont honorés les suffrages de leurs concitoyens sont accourus auprès de votre Majesté pour lui exprimer la joie que la Savoie éprouvera lorsqu'elle sera tout entière réunie à la France, et qu'elle pourra toujours, avec cette grande et noble nation, n'avoir qu'un cri, celui de 'Vive l'Empereur!' 'Vive la France!' "

L'Empereur a repondu:

" Messieurs,

" Je vous remercie des sentiments que vous venez de m'exprimer, et je vous reçois avec plaisir. Le Roi de Sardaigne ayant accédé au principe de la réunion de la Savoie et du Comté de Nice à la France, je puis, sans manquer à aucun devoir international, vous témoigner ma sympathie et agréer l'expression de vos vœux.

pal towns wished to join their Deputations to ours.

" Sire,

" Your Majesty will appreciate the reserve imposed on the constituted bodies, on men who have ever been faithful subjects of their King, as they will be of your Majesty. But, after the acts of the King's Government, it will doubtless be permitted us to address to your Majesty the expression of the sentiments which we feel towards France, in who Savoy will find not only grandeur and glory, but also sympathy and security for all her moral and material interests.

" From the shores of Lake Leman to the valleys of Mont Cenis, those whom the votes of their fellow-citizens have honoured have hastened to your Majesty to express to you the joy which Savoy will feel when she shall be in her entirety united to France, and when she shall ever be able, with that great and noble nation, to have but one cry,— that of 'Vive l'Empéreur!' 'Vive la France!' "

The Emperor replied:—

" Gentlemen,

" I thank you for the sentiments which you have expressed, and I receive you with pleasure. The King of Sardinia having acceded to the principle of the annexation of Savoy and the County of Nice to France, I may, without violating any international duty, testify to you my sympathy and accept the expression of

Les circonstances dans lesquelles se produit cette rectification de frontières sont si exceptionnelles que tout en répondant à des intérêts légitimes, elles ne blessent aucun principe et par conséquent n'établissent aucun précédent dangereux.

" En effet, ce n'est ni par la conquête ni par l'insurrection que la Savoie et Nice seront réunies à la France, mais par le libre consentement du Souverain légitime appuyé de l'adhésion populaire. Aussi, tout ce qui en Europe ne cède pas à un esprit d'antagonisme d'une autre époque, regarde comme naturelle et équitable cette adjonction de territoire. L'accueil fait aux communications adressées par mon Gouvernement aux Puissances représentées au Congrès de Vienne autorise pour la plupart d'entre elles la juste espérance d'un examen favorable.

" Mon amitié pour la Suisse m'avait fait envisager comme possible de détacher en faveur de la Confédération quelques portions du territoire de la Savoie; mais devant la répulsion qui s'est manifestée parmi vous à l'idée de voir démembrer un pays qui a su se créer à travers les siècles une individualité glorieuse et se donner ainsi une histoire nationale, il est naturel de déclarer que je ne contraindrai pas au profit d'autrui le vœu des populations. Quant aux intérêts politiques et commerciaux qui lient à la Suisse certaines parties de la Savoie, il sera facile, je crois, de les satisfaire par des arrangements particuliers.

your wishes. The circumstances which have produced this rectification of frontiers are so exceptional, that, whilst answering legitimate interests, they wound no principle, and consequently establish no dangerous precedent.

" In fact, it is neither by conquest nor by insurrection that Savoy and Nice will be annexed to France, but by the free consent of the legitimate Sovereign, supported by the adhesion of the people. Besides, every Power in Europe which is not influenced by an antiquated spirit of antagonism, regards this addition of territory as natural and equitable. The reception given to the communications addressed by my Government to the Powers represented at the Congress of Vienna, authorise, for the most part, the just hope of a favourable examination.

" My friendship for Switzerland made me consider it possible to detach, in favour of the Confederation, certain portions of the territory of Savoy; but in face of the repulsion which has been manifested among you at the idea of seeing a country dismembered which has through centuries created for itself a glorious individuality, and has also given itself a national history, it is natural to declare that I shall not constrain the will of the populations for another's profit. As for the political and commercial interests which bind certain portions of Savoy to Switzerland, it will, I think, be easy to satisfy them by special arrangements.

" J'espère donc, Messieurs, pouvoir bientôt vous considérer comme membres de la grande famille Française. Je tiendrai à honneur de réaliser toutes vos espérances, et l'annexion d'un pays que tant de liens rattachent à la France deviendra pour lui une nouvelle cause de prospérité et de progrès.

" En retournant au milieu de vos concitoyens, dites-leur combien j'ai été touché de la manifestation dont vous avez été les honorables organes. Il y a parmi vous tant de descendants de ces familles qui ont contribué à l'illustration de la France, dans la carrière des sciences comme dans celle des armes, que tout concourt à expliquer et à justifier l'œuvre de l'union qui se prépare."

" I hope, therefore, Gentlemen, that I shall soon be able to consider you as members of the great French family. I shall make it a point of honour to realise all your hopes, and the annexation of a country bound by so many ties to France will be to her a fresh cause of prosperity and progress.

" When you return to your fellow-citizens, tell them how much I have been touched by the manifestation of which you have been the honourable organs. There are among you so many descendants of those families which have contributed to the lustre of France, in the career of science as well as in that of arms, that everything combines to explain and justify the work of union which is in preparation."

### *Address to Victor Emanuel by the Municipality of Nice, Protesting against the Proposed Annexation. March* 19, 1860[1]

SIRE,

Quando i popoli dell'Italia Centrale (al grido di dolore dei quali non pote restare insensibile il magnanimo cuore di vostra Maestà), fatti arbitri dei loro destini, manifestavano fermo più che mai ed irremovibile il proposito di unirsi al Costituzionale vostro Regno, documenti ufficiali vennero dare credito ed autorità alla voce già da tempo diffusa, che Nizza colla sua contea potesse essere ceduta ed unita all'Impero Francese.

SIRE.

WHEN the people of Central Italy (to whose cry of pain your Majesty could not remain insensible), become arbiters of their own destiny, showed the firm intention of uniting themselves to your Constitutional Kingdom, official documents gave ground for the report that the County of Nice was to be ceded to France.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2707], p. 29. The translation although not verbatim is sufficiently accurate. The date is approximate only, the address being undated. It was forwarded by Sir James Hudson to Lord John Russell on March 21.

La popolazione di Nizza, fidele alle sue tradizioni di amore e di devozione verso la Reale vostra Dinastia, e le libere istituzioni che ci reggono, si è vivamente commossa, e la Giunta Municipale, organo della legale sua rappresentanza, si è creduto in dovere di rompere il rispettoso silenzio che finora aveva serbato.

Ascoltate, o Sire, la sua voce: essa vi parla in nome dei cinque secoli di storia che Nizza ha comuni coll'antica vostra prosapia, in nome delle prove di costante ed inalterabile fedeltà che non cessò di dare ai Reali vostri predecessori ed alla Maestà vostra, dei sacrifizi ai quali si espose, dei patimenti che sopportò per la sua fedeltà.

E impossibile che l'idea di separarvi da sudditi così fedeli ed antichi, non commuova il generoso vostro cuore. Seguitene gl'impulsi, e tramandate ai vostri posteri questa parte del glorioso retaggio che ricevute dai vostri maggiori.

Che se la parte gloriosa che la Francia ebbe nella liberazione dell'Italia Centrale, e i vincoli d'immensa gratitudine coi quali si è avvinto il Regno novello, non valgono a rassicurare l'augusto e potente vostro alleato, e desidera garantie per la sicurezza delle sue frontiere, si neutralizzi Nizza senza staccarla dal glorioso vostro scettro, e saranno calmate tutte le apprensioni ed appagati tutti i voti.

(Firmato) *Avvocato* Malaussena, Sindaco — A. F. Lubonis — Conte Enrico Di Falicon — Cav. Arson Gonzaga — Bunico — Montolivo.

The population of Nice, faithful to their traditions of love and devotion to your Royal Dynasty and your liberal institutions, are much moved, and think it their duty to break the respectful silence they have hitherto kept.

They speak to your Majesty in the name of five centuries of history which Nice has in common with your race, in the name of the unwavering loyalty and faith which she has not ceased to give your Royal predecessors and to your Majesty, and of what she has suffered for her fidelity.

It is impossible that the idea of parting with such old and faithful subjects can be indifferent to your heart. Follow its impulses, and hand down to your posterity this part of the glorious heritage left you by your ancestors.

If the glorious part France played in freeing [Central] Italy, and the bonds of great gratitude which bind the new kingdom to her, do not suffice to reassure your potent ally, and she desires a guarantee for the security of her frontier, let Nice be neutralized instead of being separated from your glorious sceptre, and all apprehensions will be calmed and all wishes satisfied.

(Signed) Malaussena, Syndic; A. F. Lubonis; Conte Enrico di Falicon; Cav. Arson Gonzaga; Bunico; Montolivo.

## *Notes Exchanged Between Switzerland, France and Sardinia*[1]

### Count Cavour to M. Jocteau

*Turin, le* 21 *mars,* 1860.

M. LE COMMANDEUR,

M. Tourte m'a remis copie de la note que vous trouverez ci-jointe, par laquelle le Conseil Fédéral appelle l'attention du Gouvernement du Roi sur la position juridique des provinces neutralisées de la Savoie. Il rappelle à cet effet le Traité de 1564, entre la Savoie et Berne, et les stipulations Européennes de 1815.

M. Tourte en me laissant copie de cette note m'en a adressée une autre dans laquelle, en se référant aux proclamations des Gouverneurs de Chambéry et d'Annecy, annonçant une votation prochaine relative à l'annexion de la Savoie à la France, il proteste, au nom du Conseil Fédéral, contre toute votation ou toute autre acte dont le résultat pourrait apporter un changement à l'état actuel des choses en Savoie. Vous trouverez également ci-joint copie de la note de l'Envoyé Extraordinaire de la Suisse.

J'ai répondu verbalement à M. Tourte que je ne comprenais pas comment la marche que le Cabinet du Roi avait suivi dans cette circonstance avait pu être un sujet de récrimination de la part du Conseil Fédéral.

*Turin, March* 21, 1860.

M. LE COMMANDEUR,

M. Tourte has furnished me with a copy of the note, which you will find inclosed, in which the Federal Council calls the attention of the King's Government to the juridical position of the neutralized provinces of Savoy. With reference to this they appeal to the Treaty of 1564 between Savoy and Berne, and to the stipulations sanctioned by all Europe in 1815.

M. Tourte left with me a copy of that note, and addressed another to me, in which, after referring to the proclamations of the Governors of Chambery and Annecy, announcing that votes would shortly be taken on the subject of the annexation of Savoy to France, he protests, in the name of the Federal Council, against all voting or other proceedings, the result of which might make a change in the existing state of affairs in Savoy. You will also find inclosed a copy of the note from the Swiss Envoy Extraordinary.

I answered M. Tourte verbally that I did not understand how the course taken by the King's Cabinet under these circumstances could have been a subject of recrimination on the part of the Federal Council. It would

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], pp. 38, 46–48, 103.

En effet il aurait suffi de lire la réponse que, par l'entremise du Chargé d'Affaires de Sa Majesté à Paris, j'avais fait à la communication dans laquelle M. Thouvenel avait demandé des garanties pour la sécurité de la France, pour se convaincre que le Cabinet du Roi, ne pouvant se refuser à reconnaître la valeur d'un vote qui serait prononcé, d'une manière légale, par les populations de la Savoie, n'avait fait cependant cette déclaration que sur les assurances exprimées dans les notes du Cabinet Français de prendre en sérieuse considération les intérêts de la Suisse. J'ai ajouté à M. Tourte que je comprenais moins encore de quel droit la Suisse protestait non seulement contre toute modification territoriale de la Savoie, mais contre toute votation tendante à constater légalement les vœux des populations. Il y a là un oubli singulier des droits de souveraineté de Sa Majesté qu'il est assez difficile de s'expliquer, même en tenant compte des stipulations internationales invoquées par le Conseil Fédéral.

Je ne crois donc pas convenable de m'arrêter sur cette partie de la comunication de la Confédération Helvétique, et je me bornerais à quelques remarques sur la valeur attribuée par le Conseil Fédéral au Traité de 1564 et aux transactions de 1815.

. . . . .

Je vous prie, M. le Commandeur, de donner lecture et copie de cette de-

have sufficed, indeed, to read the answer which, through the agency of the King's Chargé d'Affaires at Paris, I had made to the communication in which M. Thouvenel had demanded guarantees for the security of France, to be convinced that the King's Cabinet, unable to decline acknowledging the value of a vote already pronounced, in a legal manner, by the populations of Savoy, had not, however, made this declaration except upon the assurances expressed in the notes of the French Cabinet that they would take into serious consideration the interests of Switzerland. I said in addition to M. Tourte, that I understood still less well by what right Switzerland protested, not only against any redistribution of territory in Savoy, but against any vote whose tendency is to record legally the wishes of the populations. In this there is a singular forgetfulness of His Majesty's rights of sovereignty, which it is difficult enough to account for, even if we keep in view the international stipulations appealed to by the Federal Council.

I therefore deem it inexpedient to pause at this part of the Communication from the Helvetic Confederation, and I would limit myself to some observations on the value attached by the Federal Council to the Treaty of 1564 and to the transactions of 1815.

. . . . .

I beg, M. le Commandeur, that you will read this despatch to the Presi-pêche à M. le Président de la Confédération.

Agréez, &c.
(Signé) C. Cavour.

dent of the Confederation, and give him a copy of it.

I beg, &c.
(Signed) C. Cavour.

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## The Swiss Federal Council to Dr. Kern [1]

*Berne, le* 24 *mars,* 1860.

Monsieur,

M. Tillos, Chargé d'Affaires *ad interim* de France à Berne, a donné connaissance à M. le Président de la Confédération d'une note datée du 17 courant que son Excellence M. le Ministre des Affaires Etrangères a adressés au Représentant de la France, et qui doit être considéree comme servant de réponse à votre protestation présentée le 15 mars contre la cession sans condition de la Savoie à la France.

. . . . .

Si l'on a égard à la disposition du peuple, qui paraît devoir fournir ici la raison de décider et dont le Conseil Fédéral ne méconnaît nullement l'importance, on peut réclamer pour la population du nord de la Savoie, conformément à toutes les règles de l'équité, le droit d'exprimer librement son opinion. Ou peut-être ne faudrait-il tenir aucun compte des 12,000 citoyens qui se sont déjà prononcés pour l'annexion à la Suisse? qui ont declaré que leurs intérêts et leurs vœux, leurs tendances, leurs besoins, leurs sympathies sont tout autres que ceux des provinces méridionales?

*Berne, March* 24, 1860.

Monsieur,

M. Tillos, Chargé d'Affaires *ad interim* of France at Berne, has communicated to the President of the Confederation a note, dated the 17th instant, which his Excellency the Minister for Foreign Affairs has addressed to the Representative of France, and which must be considered as serving a reply to your Protest presented on the 15th of March against the unconditional cession of Savoy to France.

. . . . .

If regard be had to the disposition of the people, which it seems should, in this matter, furnish the ground of the decision, and the importance of which the Federal Council by no means ignores, there might be claimed for the population of Northern Savoy, in conformity with all the rules of equity, the right of expressing freely its opinion. Or might not, perhaps, the 12,000 citizens who have already pronounced for annexation to Switzerland be taken into account to a certain extent? citizens who have declared that their interests and their wishes, their tendencies, their wants,

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 46.

. . . . .

Vous êtes invité à donner lecture de cette note à M. Thouvenel et à lui en laisser copie.

Agréez, &c.

Au nom du Conseil Fédéral Suisse.

*Le Président de la Confédération*
(Signé) Frey-Herosee
*Le Chancelier de la Confédération,*
Schiess.

their sympathies, are all different from those of the southern provinces?

. . . . .

You are invited to read this note to M. Thouvenel and to give him a copy of it.

Receive, &c.

In the name of the Swiss Federal Council,

*The President of the Confederation,*
(Signed) Frey-Herosee.
*The Chancellor of the Confederation,*
Schiess.

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### M. Tourte to Count Cavour [1]

*Turin, 28 mars,* 1860.

Excellence,

Un Traité pour la cession de la Savoie à la France, Traité conclu le 24 courant, sous réserve de la ratification du Parlement Sarde, entre les Plénipotentiaires de Sa Majesté le Roi Victor Emanuel II, et ceux de Sa Majesté l'Empereur Napoleon III, vient d'être inséré au " Moniteur Universel."

Ce Traité ayant été conclu sans la participation de la Suisse, qui cependant avait demandé d'être admise comme partie principale à prendre part aux négociations relatives à cette cession, sa publication officielle doit être considérée par le Conseil Fédéral comme un acte préliminaire menaçant pour les droits que la Confédération tient des Traités antérieurs.

*Turin, March* 28, 1860.

Excellency,

A Treaty for the cession of Savoy to France, concluded on the 24th instant by the Plenipotentiaries of His Majesty King Victor Emanuel II, and those of His Majesty the Emperor Napoleon III, subject to the approval of the Sardinian Parliament, has just been inserted in the " Moniteur Universel."

As this Treaty has been concluded without the concurrence of Switzerland, who had, however, applied to be allowed to participate in it as one of the principal parties concerned in the negotiations relative to the cession, this official publication cannot be considered by the Federal Council but as a preliminary act of menace against the rights of which the Confederation is possessed in virtue of former Treaties.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702[, p. 103.

En conséquence, toute prise de possession, tant civile que militaire, du nord de la Savoie par la France, aussi longtemps qu'une entente à ce sujet n'aura pas eu lieu avec la Suisse, serait envisagée par cette dernière comme une violation flagrante de ses droits.

Une prise de possession préliminaire par des Agents étrangers serait aussi une restriction peu loyale apportée à la libre expression des vœux des populations de ces provinces.

La Suisse revendique donc itérativement le droit imprescriptible qu'elle a de ne pas voir un état de choses sur lequel repose son indépendance gravement compromis, sans qu'elle soit consentante à ce changement.

La défense de la neutralité de la Suisse rendant indispensable, en temps de guerre, l'occupation par les troupes Fédérales du Faucigny, du Chablais, et du Génévois, le Conseil Fédéral a dû s'adresser aux Puissances signataires de l'Acte Final du Congrès de Vienne, et de la Déclaration de Paris du 20 Novembre, 1815 — Puissances qui ont garanti cette neutralité et la neutralité du territoire, Sarde alors, situé au nord d'Ugine, à l'égal de celle de la Suisse — pour leur soumettre la position nouvelle qu'une des Parties Contractantes veut lui faire isolément, en transférant de la Sardaigne à la France la souveraineté de ces Provinces.

Au cas de cession de la Savoie à la France, la Suisse demande l'annexion à son territoire des districts limi-

Consequently any act of appropriation by France in the North of Savoy, whether civil or military, as long as no understanding shall have been come to with Switzerland on the subject, will be regarded by her as a flagrant violation of her rights.

A preliminary occupation by foreign Agents would be an unfair coercion of the free expression of the wishes of the population of these provinces. Switzerland therefore repeatedly claims the indefeasible right, which she possesses, of not allowing a state of things on which her independence is based, to be severely compromised, without her own consent to the change.

The defence of Switzerland's neutrality in time of war, making the occupation of Faucigny, Chablais, and Genevois, by Federal troops indispensable, the Federal Council has been obliged to address the Powers who signed the Final Act of the Congress of Vienna, and the Declaration of Paris of the 20th of November, 1815, which Powers guaranteed this neutrality, and also that of the territory, at that time belonging to Sardinia, situated north of Ugine, in order to submit to them the new position which one of the Contracting Powers alone wishes to impose upon her, in transferring the sovereignty of these provinces from Sardinia to France.

In the event of the cession of Savoy to France, Switzerland demands the annexation to her territory of the trophes de la Savoie du Nord; et cela, conformément à la lettre et à l'esprit des Traités qui lient tant les Puissances du Congrès de Vienne que la Maison de Savoie et la Confédération Helvétique.

Dans ces circonstances, je dois, au nom et par ordre du Conseil Fédéral, en me référant à la note de ce corps en date du 11 mars courant, à ma protestation du 14, et à mes notes des 21 et 27 du même mois, protester de nouveau auprès du Gouvernement de Sa Majesté Victor Emanuel II, contre toute prise de possession, civile ou militaire, par la France, du territoire en litige, jusqu'à ce qu'une entente à ce sujet soit intervenue entre les Puissances garantes de la neutralité Suisse, et la Suisse elle-même; cette dernière demandant positivement la réunion d'une Conférence appelée à s'occuper exclusivement de ce sujet.

Dans l'espoir que le bon droit que j'invoque sera respecté par le Gouvernement de Sa Majesté le Roi de Sardaigne, et qu'il n'oubliera jamais les égards dûs à un viel et bon voisin, je vous prie, &c.,

(Signé) A. TOURTE.

frontier districts of Northern Savoy. This demand is in conformity with the letter and spirit of the Treaties, which are equally binding on the Powers who signed the Congress of Vienna, and on the House of Savoy and the Helvetic Confederation.

Under these circumstances I am obliged, in the name and by order of the Federal Council, with reference to their note dated the 11th of March, to my Protest of the 14th, and to my notes of the 21st and 27th of the same month, again to protest to the Government of His Majesty King Victor Emanuel II, against any occupation, civil or military, on the part of France, of the disputed territory, until an understanding shall have been come to on the subject between the Powers who guaranteed the neutrality of Switzerland, and Switzerland herself; this latter positively demanding the assembly of a Conference, convoked exclusively for the consideration of this subject.

In the hope that the just right to which I appeal will be respected by the Government of His Majesty the King of Sardinia, and that that Government may never forget the consideration due to an old and friendly neighbour, I beg, &c.

(Signed) A. TOURTE.

## *Treaty Between France and Sardinia for the Union of Savoy and Nice with France. Signed at Turin, March* 24, 1860[1]

Au nom de la Très-Sainte et Indivisible Trinité.

Sa Majesté l'Empereur des Français ayant exposé les considérations qui, par suite des changements survenus dans les rapports territoriaux entre la France et la Sardaigne, lui faisaient désirer la réunion de la Savoie et de l'arrondissement de Nice (" circondario di Nizza ") à la France, et Sa Majesté le Roi de Sardaigne s'étant montré disposé à y acquiescer, leurs dites Majestés ont décidé de conclure un Traité à cet effet, et ont nommé pour leurs Plénipotentiaires, savoir : —

Sa Majesté l'Empereur des Français, M. le Baron de Talleyrand-Périgord, &c., &c., et M. Vincent Benedetti, &c., &c. ;

Et Sa Majesté le Roi de Sardaigne, son Excellence le Comte Camille Benso de Cavour, &c., &c., et son Excellence M. le Chevalier Charles Louis Farini, &c., &c. ;

Lesquels, après avoir échangé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des Articles suivants : —

### Article I

Sa Majesté le Roi de Sardaigne consent à la réunion de la Savoie et de l'arrondissement de Nice (" circondario di Nizza ") à la France, et renonce, pour lui et tous ses descendants

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of the French having explained the considerations which, in consequence of the changes which have arisen in the territorial relations between France and Sardinia, caused him to desire the annexation of Savoy and of the arrondissement of Nice (" circondario di Nizza ") to France, and His Majesty the King of Sardinia having shown himself disposed to acquiesce in it, their said Majesties have decided to conclude a Treaty to this effect, and have named as their Plenipotentiaries:

His Majesty the Emperor of the French, Baron de Talleyrand Perigord, &c., and M. Vincent Benedetti, &c. ;

And His Majesty the King of Sardinia, his Excellency Count Camille Benso de Cavour, &c., and his Excellency the Chevalier Charles Louis Farini, &c. ;

Who, after having exchanged their full powers, found to be in good and due form, agreed on the following Articles:—

### Article 1

His Majesty the King of Sardinia consents to the annexation of Savoy, and of the arrondissement of Nice (" circondario di Nizza ") to France, and renounces, for himself and all his

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[1] Text and translation from *British Parliamentary Papers*, Affairs of Italy [2656], p. 25.

et successeurs, en faveur de Sa Majesté l'Empereur des Français, à ses droits et titres sur les dits territoires. Il est entendu entre leurs Majestés que cette réunion sera effectuée sans nulle contrainte de la volonté des populations, et que les Gouvernements de l'Empereur des Français et du Roi de Sardaigne se concerteront le plus tôt possible sur les meilleurs moyens d'apprécier et de constater les manifestations de cette volonté.

### ARTICLE II

Il est également entendu que Sa Majesté le Roi de Sardaigne ne peut transférer les parties neutralisées de la Savoie qu'aux conditions auxquelles il les possède lui-même, et qu'il appartiendra à Sa Majesté l'Empereur des Français de s'entendre à ce sujet, tant avec les Puissances représentées au Congrès de Vienne qu'avec la Confédération Helvétique, et de leur donner les garanties qui résultent des stipulations rappelées dans le présent Article.

### ARTICLE III

Une Commission Mixte déterminera, dans un esprit d'équité, les frontières des deux Etats, en tenant compte de la configuration des montagnes et de la nécessité de la défense.

### ARTICLE IV

Une ou plusieurs Commissions Mixtes seront chargés d'examiner et de résoudre, dans un bref délai, les diverses questions incidentes aux-

descendants and successors, in favour of His Majesty the Emperor of the French, his rights and titles over the said territories. It is understood between their Majesties that this annexation shall be effected without any constraint of the wishes of the populations, and that the Governments of the Emperor of the French and the King of Sardinia will concert together as soon as possible upon the best means of appreciating and verifying the manifestations of those wishes.

### ARTICLE 2

It is equally understood that His Majesty the King of Sardinia cannot transfer the neutralized parts of Savoy, except on the conditions upon which he himself possesses them, and that it will appertain to His Majesty the Emperor of the French to come to an understanding on this subject, both with the Powers represented at the Congress of Vienna, and with the Swiss Confederation, and to give them the guarantees required by the stipulations referred to in this Article.

### ARTICLE 3

A Mixed Commission shall determine, in a spirit of equity, the frontiers of the two States, taking into account the configuration of the mountains and the requirements of defence.

### ARTICLE 4

One or more Mixed Commissions shall be charged to examine and resolve, as soon as possible, the various incidental questions to which the an-quelles donnera lieu la réunion, telles que la fixation de la part contributive de la Savoie et de l'arrondissement de Nice ("circondario di Nizza") dans la dette publique de la Sardaigne, et l'exécution des obligations résultant des contrats passés avec le Gouvernement Sarde, lequel se réserve toutefois de terminer lui-même les travaux entrepris pour le percement du tunnel des Alpes (Mont-Cenis).

### ARTICLE V

Le Gouvernement Français tiendra compte aux fonctionnaires de l'ordre civil et aux militaires appartenant par leur naissance à la Province de Savoie et à l'arrondissement de Nice ("circondario di Nizza") et qui deviendront sujets Français, des droits qui leur sont acquis par les services rendus au Gouvernement Sarde; ils jouiront notamment du bénéfice résultant de l'inamovibilité pour la magistrature et des garanties assurées à l'armée.

### ARTICLE VI

Les sujets Sardes originaires de la Savoie et de l'arrondissement de Nice, ou domiciliés actuellement dans ces provinces, qui entendront conserver la nationalité Sarde, jouiront, pendant l'espace d'un an à partir de l'échange des ratifications, et moyennant une déclaration préalable faite à l'autorité compétente, de la faculté de transporter leur domicile en Italie et de s'y fixer, auquel cas la qualité de citoyen Sarde leur sera maintenue.

nexation will give rise, such as the settlement of the share to be contributed by Savoy and the Arrondissement of Nice ("circondario di Nizza") towards the public debt of Sardinia, and the execution of the obligations resulting from contracts entered into with the Sardinian Government, which Government, however, reserves the right of itself terminating the labours undertaken for boring the tunnel of the Alps (Mont Cenis).

### ARTICLE 5

The French Government will secure to the civil and military functionaries belonging by birth to the Province of Savoy and to the Arrandissement of Nice ("circondario di Nizza"), and who shall become French subjects, the rights due to them on account of the services rendered by them to the Sardinian Government: they shall especially enjoy the advantages resulting from the permanency of the magisterial appointments, and from the guarantees ensured to the army.

### ARTICLE 6

Sardinian subjects natives of Savoy and the Arrondissement of Nice, at present domiciled in those provinces, who shall desire to preserve their Sardinian nationality, shall enjoy, during the space of one year from the date of the exchange of ratifications, and provided that they make a previous declaration to the competent authority, the right of transporting their domicile into Italy, and of fixing it there, in which case

Ils seront libres de conserver leurs immeubles situés sur les territoires réunis à la France.

### ARTICLE VII

Pour la Sardaigne, le présent Traité sera exécutoire aussitôt que la sanction législative nécessaire aura été donnée par le Parlement.

### ARTICLE VIII

Le présent Traité sera ratifié, et les ratifications en seront échangées à Turin dans le délai de dix jours, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé le cachet de leurs armes.

Fait en double expédition à Turin, le vingt-quatrième jour du mois de Mars de l'an de grâce mil huit cent soixante.

(Signé) TALLEYRAND.
BENEDETTI.
CAVOUR.
FARINI.

the character of Sardinian citizens shall be continued to them.

They shall be free to retain their immovable property situated in the territory annexed to France.

### ARTICLE 7

As concerns Sardinia, the present Treaty shall be in force as soon as the necessary legislative sanction shall have been given by Parliament.

### ARTICLE 8

The present Treaty shall be ratified, and the ratifications of it shall be exchanged at Turin within ten days, or sooner if possible.

In faith of which the respective Plenipotentiaries have signed it, and affixed to it their armorial seals.

Done in duplicate at Turin, the twenty-fourth day of the month of March of the year of grace one thousand eight hundred and sixty.

(Signed) TALLEYRAND.
BENEDETTI.
CAVOUR.
FARINI.

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## *Proclamation of Victor Emanuel to the Inhabitants of Savoy and Nice. April* 1, 1860 [1]

AUX HABITANTS DE LA SAVOIE ET DE NICE.

Un traité conclu le 24 mars établit que la réunion de la Savoie et de Nice à la France aura lieu avec l'adhésion

TO THE INHABITANTS OF SAVOY AND OF NICE.

A treaty concluded on the 24th of March determines that the union of Savoy and Nice to France shall des populations et la sanction du Parlement.

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[1] Martens, *N. R. G.*, vol. 16, pt. II, p. 541. Translation from *Parliamentary Papers*.

Quelque pénible qu'il me soit de me séparer des provinces qui ont fait si longtemps partie des Etats de mes ancêtres, et auxquelles tant de souvenirs me rattachent, j'ai dû considérer que les changements territoriaux amenés par la guerre en Italie justifiaient la demande que mon auguste allié l'Empereur Napoléon m'a adressée pour obtenir cette réunion. J'ai dû en outre tenir compte des services immenses que la France a rendus à l'Italie, des sacrifices qu'elle a faits dans l'intérêt de son indépendance, des liens que les batailles et les traités ont formés entre les deux pays. Je ne pouvais méconnaître d'ailleurs que le développement du commerce, la rapidité et la facilité des communications augmentent chaque jour davantage l'importance et le nombre des rapports de la Savoie et de Nice avec la France. Je n'ai pu oublier enfin que de grandes affinités de race, de langage et de mœurs rendent ces rapports de plus en plus intimes et naturels.

Toutefois ce grand changement dans le sort de ces provinces ne saurait vous être imposé. Il doit être le résultat de votre libre consentement. Telle est ma ferme volonté: telle est aussi l'intention de l'Empereur des Français. Pour que rien ne puisse gêner la libre manifestation de vos vœux, je rappelle ceux parmi les prin-

take place with the concurrence of the populations and the sanction of the Parliament.

However painful it may be for me to separate myself from provinces which have for so long a period formed part of the dominions of my ancestors, and to which I am bound by so many recollections, I have had to take into consideration that the territorial changes which the war in Italy led to, justified the demand which my august ally the Emperor Napoleon addressed to me with a view to effecting this union. I had, moreover, to take into account the vast services rendered by France to Italy, the sacrifices made in the interest of her independence, the ties which battles and Treaties have formed between the two countries. I could not, besides, ignore the fact that the development of commerce, the rapidity and the ease of communication, increase more and more every day the importance and the number of the relations of Savoy and of Nice with France. Lastly, I could not forget that great affinity in race, in language, and in manners, render these relations continually closer and more natural.

Nevertheless, this great change in the destiny of the provinces cannot be imposed upon you. It must be the result of your free consent. Such is my determined wish; such is also the intention of the Emperor of the French. In order that nothing may hinder the free manifestation of your wishes, I recall those among the prin-

cipaux fonctionnaires de l'ordre administratif qui n'appartiennent pas à votre pays, et je les remplace momentanément par plusieurs de vos concitoyens entourés de l'estime et de la considération générale.

Dans ces circonstances solennelles vous vous montrerez dignes de la réputation que vous avez acquise. Si vous devez suivre d'autres destinées, faites en sorte que les Français vous accueillent comme des frères qu'on a depuis longtemps appris à apprécier et à estimer. Faites que votre réunion à la France soit un lien de plus entre deux nations dont la mission est de travailler de concert au développement de la civilisation.

Turin, 1 avril 1860.

cipal functionaries in the ranks of the Administration who do not belong to your country, and I replace them temporarily by several of your fellow-citizens who have earned the esteem and regard of the public.

In circumstances of such solemnity you will show yourselves worthy of the reputation which you have acquired. If you should have to seek a new destiny, act in such wise that the French shall receive you as brethren whom they have long since learnt to appreciate and to esteem. Act so that your union to France may become an additional link between two nations whose mission is to labour in concert for the development of civilization.

Turin, April 1, 1860.

## *Speech of Victor Emanuel on Opening the Sardinian Parliament. April 2,* 1860[1]

Signori Senatori, Signori Deputati,

L'ultima volta che io apriva il Parlamento in mezzo ai dolori dell'Italia ed ai pericoli dello Stato, la fede nella Divina giustizia confortavami a bene augurare delle nostre sorti (*Applausi*).

In tempo brevissimo una invasione respinta, libera la Lombardia per gloriose gesta d'eserciti, libera l'Italia Centrale per meravigliosa virtù di

Senators and Deputies,

The last time that I opened Parliament amid the afflictions of Italy and the dangers of our country, faith in Divine justice made me hopeful for our future, and consoled me.

In the shortest space of time an invasion repulsed, Lombardy freed by glorious deeds of arms, Central Italy freed by marvellous virtues on the

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy, Savoy and Switzerland [2702], p. 116.

popoli (*Viva approvazione,*) ed oggi qui accolti intorno a me i rappresentanti del dritto e delle speranze della nazione (*Applausi clamorosi. "Evviva il Re!"*)

Di tanto bene andiamo debitori ad un Alleato magnanimo, alla prodezza dei suoi e dei nostri soldati (*Applausi prolungati*), alla abnegazione dei volontari, alla perseverante concordia dei popoli, e ne rendiamo merito a Dio; chè senza aiuto sovrumano non si compiono imprese memorabili alle presenti ed alle future generazioni (*Nuovi applausi*).

Per riconoscenza alla Francia, pel bene d'Italia, per assodare la unione delle due nazioni che hanno comunanza di origini, di principii e di destini, abbisognando alcun sacrificio, ho fatto quello che costava di più al mio cuore (*Sua Maestà il Re pronuncia queste parole con commozione visible. Nuove grida di "Viva il Re!"*). Salvi il voto dei popoli e l'approvazione del Parlamento, salvi in risguardo della Svizzera le guarentigie del diritto internazionale, ho stipulato un Trattato sulla riunione della Savoia el del circondario di Nizza alla Francia.

. . . . .

part of the people, and to-day assembled around me the representatives of right, and of the hopes of the nation.

All this we owe, partly to a magnanimous ally, to the bravery of his and our soldiers, to the abnegation of the volunteers, to the persevering concord of the people, and we render God thanks for it; for without his help such events, memorable for the present and the future could not have come to pass.

In gratitude to France, for the welfare of Italy, to consolidate the union of those nations which have a common origin, common principles and destinies, some sacrifice being necessary, I have made that one most painful to my heart. Conditionally on the wish of the natives and the consent of Parliament, and that the International rights of Switzerland be guaranteed, I have stipulated a Treaty that Savoy and the territory of Nice be reunited to France.

. . . . .

## *Proclamation of the Provisional Governor of Savoy. April* 4, 1860 [1]

CONCITTADINI,

Nel farci lealmente conoscere le potenti considerazioni che lo hanno indotto a separarsi da noi, Sua Maestà il

CITIZENS,

In announcing to us frankly the weighty considerations which have induced him to separate himself from

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 162.

Re Vittorio Emanuele II ci ha detto come questo sacrificio sia stato doloroso al suo cuore.

Egli conserva per la Savoia, per questa terra di cui la sua famiglia ha illustrato il nome, quei sentimenti di stima e di affezione che essa ha saputo meritarsi per otto secoli di fedeltà e di devozione.

Un pensiero, nondimanco, tempra l'amarezza del suo rammarico ed è che la riunione della nostra patria alla Francia assicura per sempre la sua felicità e la sua prosperità, affidandone egli la cura al suo magnanimo alleato, Sua Maestà l'Imperatore Napoleone III.

Il paese intanto dee far udir la sua voce. I due Sovrani lo esigono ugualmente, e la lor ferma volontà è che sia assicurata la libertà più intera alla manifestazione de'suoi voti.

Accettando in queste circostanze l'ufficio delicato che mi è stato affidato, e che, quantunque temporaneo, è d'assai superiore alle mie forze, io non ho consultato che il mio attaccamento alla nostra cara patria.

Io fo assegnamento, per compierlo, sul concorso leale di tutte le autorità e sul buon senso della popolazione di questa provincia.

Concittadini,

Raccogliamoci aspettando il momento solenne in cui dovremo esprimere i nostri voti, secondo il modo che sarà ulteriormente adottato; e quando questo giorno sarà venuto, riuniti tutti in uno stesso sentimento di amore per la patria, ci avvieremo con altrettanta calma e risoluzione verso i

us, King Victor Emanuel has told us how much this costs him.

He cherishes for Savoy, a name which his family have so much illustrated, those sentiments of esteem and affection which Savoy has earned by eight centuries of fidelity and devotion.

One feeling moderates his regret, which is that the union of our country to France secures for ever her prosperity, the care of it being intrusted to our magnanimous ally Napoleon III.

Still the country must let its voice be heard. Both Sovereigns demand it, and their wish is that the most entire liberty prevail in the voting.

Under these circumstances, in accepting the office confided to me, and which, though temporary, is much above my abilities, I have only consulted my love for my country.

I count on the loyal support of the authorities, and on the good sense of the populace.

Citizens,

Let us await with calm the solemn moment in which we shall have to express our wishes in the manner which shall hereafter be prescribed; and when that day shall come, united in one common sentiment of love for our country, we will turn with calm and resolution to the new

nuovi e grandi destini che la attendono.

*Ciamberi,* 4 *Aprile,* 1860.
*Il Governatore Provvisorio,*
(Firmato) Du Pasquier.

destinies that so gloriously await her.

*Chambery,* 4 *April,* 1860.
*The Provisional Governor,*
(Signed) Du Pasquier.

### *Proclamation of the Governor Regent of the City and County of Nice. April* 5, 1860 [1]

On nous transmet la Proclamation suivante, adressée le 5 avril aux habitants de la Ville et du Comté de Nice par le Gouverneur-Régent, M. Lubonis: —

" Concitoyens,

" Les incertitudes sur nos destinées viennent de cesser. Par le Traité signé le 24 mars dernier, le vaillant Roi Victor Emanuel a cédé à la France la Savoie et l'Arondissement de Nice. Les plus puissants motifs de convenance politique, les exigences de l'avenir de l'Italie, le sentiment de reconnaissance envers son puissant allié, les circonstances enfin toutes particulières de notre pays ont décidé, quoique à regret, ce bien-aimé Souverain à se séparer de provinces étroitement liées depuis de siècles à sa Dynastie. Mais le sort des peuples ne doit pas ressortir exclusivement de la volonté des Princes. Aussi le magnanime Empereur Napoléon III et le loyal Victor Emanuel ont-ils désiré que le Traité de Cession fut fortifié par l'adhésion populaire.

The following Proclamation has been transmitted to us, addressed, on April 5, to the inhabitants of the town and county of Nice by the Governor-Regent, M. Lubonis: —

" Fellow-Citizens,

" The uncertainty as to our destinies has ceased. By the Treaty signed on the 24th of March last, the valiant King Victor Emanuel has ceded to France Savoy and the Arrondissement of Nice. The most powerful motives of political convenience, the exigencies of the future of Italy, the sentiment of gratitude towards his powerful ally — in fine, the altogether peculiar circumstances of our country, decided our well-beloved Sovereign, although with regret, to separate himself from provinces for centuries closely connected with his Dynasty. But the fate of peoples ought not to depend exclusively on the will of Princes. The magnanimous Emperor Napoleon III and the loyal Victor Emanuel also desired that the Treaty of Cession

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[1] Extract from the *Moniteur* of April 8, 1860. Text and translation from *British Parliamentary Papers,* Affairs of Italy [2656], p. 157.

" A cet objet, vous serez sous peu convoqués aux Comités Electoraux, et Sa Majesté le Roi m'a confié inopinément le Gouvernement Provisoire de cet arrondissement en ma qualité de votre concitoyen.

" Concitoyens, à la voix auguste du Roi, tout incertitude sur notre avenir a disparu. De la même manière, à ses augustes paroles doivent disparaître désormais les dissensions et les rivalités. Tous les citoyens doivent être animés par le même esprit de conciliation. Toutes les oppositions doivent se briser impuissantes contre les intérêts de la patrie et le sentiment du devoir. Au surplus, elles trouveraient un obstacle insurmontable dans les désirs mêmes de Victor Emanuel.

" Les demonstrations publiques dans ce moment n'ont plus leur raison d'être. Leur but serait de compromettre l'ordre public, qui sera désormais protégé énergiquement.

" La confiance, la tranquillité, et le recueillement doivent présider à l'acte solennel auquel vous serez appelés.

" Concitoyens, la mission que le Roi vient de me confier est transitoire, mais importante. Pour remplir ma tâche dans ces moments extraordinaires, je compte sur votre concours, sur votre respect pour les lois, et sur le haut degré de civilisation auquel vous avez su vous élever.

" Hâtons-nous donc d'affermir par nos suffrages la réunion de notre Comté à la France. En nous rendant

should be fortified by popular adhesion. With this object, you will soon be summoned to the Electoral Committees; and His Majesty the King has confided to me, unexpectedly, the Provisional Government of this Arrondissement in my quality of your fellow-citizen.

" Fellow-citizens, at the august voice of the King all uncertainty as to our future has disappeared. In the same manner, at his august words dissensions and rivalries must henceforth disappear. All the citizens should be animated by the same spirit of conciliation. All oppositions must fall powerless before the interests of country and the sentiment of duty. Besides, it would find an insurmountable obstacle in the desires of Victor Emanuel.

" Public demonstrations at this moment have no longer an object. The result of them would be to compromise public order, which will henceforth be energetically protected.

" Confidence, tranquility, and calmness should preside over the solemn act to which you will be invited.

" Fellow-citizens, the mission which the King has confided to me is transitory, but important. For the fulfilment of my task in these extraordinary moments I count on your concurrence, on your respect for the laws, and on the high degree of civilization to which you have elevated yourselves.

" Let us, then, hasten to affirm by our votes the annexation of our country to France. In rendering our-l'écho des intentions du Roi, serons-nous autour du drapeau de cette noble et grande nation qui a toujours excité nos plus vives sympathies. Rallions-nous autour du Trône du glorieux Empereur Napoléon III. Entourons-nous de cette fidelité toute particulière à notre pays que nous avons conservée jusqu'à ce jour à Victor Emanuel. Pour ce Prince auguste qu'on garde parmi nous le sulte des souvenirs, et que des vœux bien ardents s'élèvent pour ses nouvelles et brillantes destinées. Pour le grand Napoléon III, dont la puissante volonté est d'ouvrir une ère nouvelle de prospérité pour notre pays, commenceront notre fidelité à toute épreuve et notre dévouement sans bornes.

" Vive la France!

" Vive l'Empereur Napoléon III!

*" Le Gouverneur-Régent,*
(Signé) LUBONIS

" Nice, le 5 Avril, 1860."

selves the echo of the King's intentions, let us rally round the flag of that noble and great nation which has ever excited our most lively sympathies. Let us rally round the Throne of the glorious Emperor Napoleon III; let us surround it with that fidelity altogether peculiar to our country, which we have hitherto preserved for Victor Emanuel. As regards that august Prince, let the cultivation of memories be kept up among us, and let most ardent wishes be raised for his new and brilliant destinies. As regards the great Napoleon III, whose powerful will is to open a new era of prosperity for our country, let us commence our unswerving fidelity and our boundless devotion.

" Vive la France!

" Vive l'Empereur Napoleon III!

*" The Governor-Regent,*
(Signed) LUBONIS.

" Nice, April 5, 1860."

### *Address to the Sardinian Parliament by the Deputies elected from Savoy to that Body. April* 5, 1860 [1]

Les Députés au Parlement Sarde, dont suivent ci-dessous les noms, ont décidé avant hier qu'ils adresseront à M. le Président de la Chambre à Turin la lettre suivante, que nous croyons devoir reproduire : —

The Deputies of the Sardinian Parliament, whose names will be found below, decided on the day before yesterday to address the following letter to the President of the Chamber at Turin, which we think it our duty to publish : —

" M. LE PRÉSIDENT,

" Les Députés au Parlement soussignés, représentant les Collèges de

" MR. PRESIDENT,

" The following Deputies in Parliament, representing the Colleges of

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[1] Extract from the *Gazette de Savoie* of April 7. Text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 166.

Chambéry, Aix-les-Bains, Pont-Beauvoisin, Yenne, Alvertville, Ugine, Saint-Jean de Maurienne, Aiguebelle, Moûtiers, Annecy, Rumilly, Saint-Julien, Bonneville, Saint Jeoire, Thonon et Evian, croient devoir s'abstenir, pour le moment, de se rendre à la Chambre des Députés.

" Leur patrie est appelée à sanctionner par le vote universel le Traité de cession à la France avant qu'il soit soumis au Parlement. Le résultat de ce vote ne peut être douteux, car les Alpes, la langue, les mœurs, les relations commerciales rendent la Savoie Française. Elle votera donc la réalisation politique de ce que la nature a déjà fait, et avec d'autant moins d'hésitation qu'elle a déjà la certitude qu'elle ne sera pas démembrée, et qu'elle trouvera, dans une zone douanière, pour les provinces qui en ont besoin, la sauvegarde de leurs intérêts commerciaux. Dans de pareilles circonstances, les Députés Savoisiens soussignés croient devoir, jusqu'après l'émission du vote universel, s'abstenir de prendre part aux délibérations du Parlement.

" Chambéry, le 5 Avril, 1860.

(Signé)

" Ernest de Boigne, Député de Chambéry.

" De Marinel, d'Aix.

" Chapperon, du Pont Beauvoisin.

" Girod de Montfalcon, d'Yenne.

" Challend, d'Albertville.

" Maurice Blanc, d'Ugine.

" Greyfie, de Moûtiers et de St. Jean de Maurienne.

Chambery, Aix-les-Bains, Pont Beauvoisin, Yenne, Albertville, Ugine, St. Jean de Maurienne, Aiguebelle, Moutiers, Annecy, Rumilly, St. Julien, Bonneville, St. Jeoire, Thonon, and Evian, think it their duty to absent themselves at present from the Chamber of Deputies.

" Their country is called upon to sanction by a general vote the Treaty of Cession to France, before it is submitted to Parliament.

" The result of this vote cannot be doubted, for the Alps, the language, habits, and commercial relations make Savoy French. It will vote, therefore, for the political realization of what Nature has already done, and with so much the less hesitation as it is already certain that it will not be divided, and that it will find in a commercial zone a safeguard for the commercial interests of the provinces who have need of it. Under such circumstances, the Savoyard Deputies think it their duty to abstain from taking part in the deliberations of the Parliament, until the universal vote has been taken.

" Chambery, April 5, 1860.

(Signed)

" Ernest de Boigne, Deputy of Chambery.

" De Marinel, of Aix.

" Chapperon, of Pont Beauvoisin.

" Girod de Montfalcon, of Yenne.

" Challend, of Albertville.

" Maurice Blanc, of Ugine.

" Greyfie, of Moutiers and St. Jean de Maurienne.

"J. Replat, d'Annecy.
"Ginet, de Rumilly.
"Hippolyte Pissard, de St. Julien.
"Pelloux, de Bonneville.
"Alexis de la Flechere, de St. Jeoire.
"Jules Beaurin, de Thonon.
"Favrat de Bellevaux, d'Evian.
"François Grange, d'Aiguebelle."

M. Chenal, Député de Sallanches, et M. Louaraz, absent, n'ont point signé.

"J. Replat, of Annecy.
"Ginet, of Rumilly.
"Hippolyte Pissard, of St. Julien.
"Pelloux, of Bonneville.
"Alexis de la Flechere, of St. Jeoire.
"Jules Beaurin, of Thonon.
"Favrat de Bellevaux, of Evian.
"François Grange, of Aiguebelle."

M. Chenal, Deputy of Sallanches, and M. Louaraz, being absent, did not sign.

### *Cavour Assures the Swiss Government that France will not take Possession until after the Plebiscite. April* 6, 1860 [1]

Count Cavour to M. Tourte

*Turin, le* 6 *Avril,* 1860.

M. l'Envoyé,

J'ai l'honneur de vous accuser réception des deux notes que vous avez bien voulu m'adresser le 1 et le 5 de ce mois.

D'après le désir que vous m'en avez témoigné, je m'empresse de vous déclarer que conformément aux dispositions du Traité du 24 Mars, la France ne prendra pas possession des provinces de la Savoie avant que les populations se soient prononcées et que le Parlement ait ratifié le Traité.

Les autorités Sardes continueront en conséquence à administrer le pays.

Veuillez, &c.

(Signé) C. Cavour.

*Turin, April* 6, 1860.

M. l'Envoyé,

I have the honor to acknowledge the receipt of the two notes which you were good enough to address to me on the 1st and 5th of this month.

In conformity with the wish you expressed, I hasten to inform you that, in conformity with the provisions of the Treaty of the 24th of March, France will not take possession of the Provinces of Savoy before the population have given their votes, and the Parliament has ratified the Treaty.

Consequently the Sardinian authorities will continue to govern the country. Accept, &c.

(Signed) C. Cavour.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy, Savoy and Switzerland [2702], p. 156.

## *Proclamation of the Provisional Governor of the District of Nice, fixing the Details of the Election. April 7,* 1860[1]

### GOUVERNEMENT DE L'ARRONDISSEMENT DE NICE

LE GOUVERNEUR PROVISOIRE DE LA VILLE ET DU COMTÉ DE NICE,

Vu le traité conclu le 24 mars dernier, par lequel S. M. le Roi a cédé à la France la Savoie et l'arrondissement de Nice;

Vu la proclamation du Roi aux habitants des pays cédés, en date du premier du courant;

Considérant que la réunion de la Savoie et de l'arrondissement de Nice à la France doit avoir lieu avec l'adhésion des populations,

ARRÊTE:

ART. 1. Les populations de la ville et de l'arrondissement de Nice sont appelées à voter sur leur réunion à la France.

ART. 2. Le vote aura lieu par OUI ou par NON, au scrutin secret, au moyen de bulletins écrits ou imprimés.

Les bulletins portant tout autre formule seront comme non-avenus et considérés nuls.

ART. 3. Le scrutin sera ouvert dans chaque commune dimanche 15 et lundi 16 avril 1860, de neuf heures du matin jusqu'à quatre heures du soir.

ART. 4. Seront admis à voter tous

### GOVERNMENT OF THE DISTRICT OF NICE

THE PROVISIONAL GOVERNOR OF THE CITY AND COUNTY OF NICE,

In view of the treaty concluded on March 24, last, by which H. M. the King has ceded Savoy and the district of Nice to France;

In view of the proclamation of the King to the inhabitants of the ceded countries, dated the first of the current month;

Considering that the union of Savoy and the district of Nice to France should take place with the adhesion of the population,

DECREES:

ARTICLE 1. The population of the City and district of Nice are called to vote on their union with France.

ART. 2. The vote shall be by YES or NO, by secret ballot, written or printed.

Ballots containing any other formula shall be considered null and void.

ART. 3. The polls shall be open in each commune on Sunday the 15th and Monday the 16th of April, 1860, from nine A. M. to four P. M.

ART. 4. All those citizens of the

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[1] *Atti del Parlamento. Sessione del 1860,* Discussioni della Camera dei Deputati, April 12, 1860, p. 86.

les citoyens âgés de 21 ans au moins, appartenant par leur naissance ou leur origine au comté de Nice, habitant la commune depuis six mois, et n'ayant pas subi de condamnations pénales prévues par l'article 25 de la loi communale.

L'obligation d'une résidence de six mois n'est pas exigée des Niçois notoirement connus qui rentreront pour se faire inscrire et prendre part au vote.

ART. 5. Tous les contingents niçois devant être renvoyés dans leurs foyers, les soldats licenciés ou en congé qui rentreront en temps utile dans l'arrondissement de Nice y seront admis à voter sur la présentation de leur congé ou de leur feuille de route.

ART. 6. Il sera formé dans chaque commune un comité présidé par le syndic, et composé d'au moins quatre conseillers municipaux désignés par le gouverneur ou par son délégué.

ART. 7. Les comités dresseront et publieront d'urgence dans la commune la liste des citoyens appelés à voter; ils statueront sommairement sur toutes les réclamations.

ART. 8. Dans les communes où les citoyens inscrits dépasseront le nombre de mille on établira plusieurs sections dont chacune ne pourra compter moins de cinq cents citoyens inscrits.

ART. 9. A quatre heures, dimanche 15, le scrutin sera clos et l'urne sera scellée publiquement par le

age of 21 years, at least, shall be qualified to vote who by birth or origin belong to the county of Nice, who have been residents of the commune for six months past, and have not suffered any penal sentence, as provided in Article 25 of the communal law.

The obligation of a residence of six months is not required of those who are known to be Niçois, who shall return in order to register and take part in the vote.

ART. 5. Whereas all the armed forces of Nice shall be returned to their homes, the soldiers discharged or on furlough who shall return to the district of Nice within the proper time shall there be allowed to vote on the presentation of their furlough or travel papers.

ART. 6. In each commune there shall be formed a committee presided over by the *syndic* and composed of at least four municipal councillors appointed by the governor or by his agent.

ART. 7. The committees shall draw up and publish with expedition, in the commune, the list of citizens summoned to vote; they shall give final decisions on all appeals.

ART. 8. In the communes where the registered citizens exceed the number of 1,000, several sections shall be established, no one of which shall include less than five hundred registered citizens.

ART. 9. At four o'clock, on Sunday the 15th, the voting shall be closed and the electoral urn shall be publicly comité, et déposée à la maison commune sous sa responsabilité.

Art. 10. A quatre heures, lundi 16, le scrutin sera définitivement clos; les comités procéderont publiquement au dépouillement, dresseront procès-verbal de toutes les opérations et du résultat du scrutin.

Le procès-verbal sera signé par tous les membres du comité, et dressé en double original, dont l'un sera déposé dans les archives de la commune et l'autre adressé immédiatement au gouverneur qui réglera ultérieurement par un décret spécial de qui est relatif au recensement général et à la proclamation du vote.

Nice, 7 avril 1860.

*Le gouverneur provisoire,*

Lubonis.

sealed by the committee and deposited at the City Hall under its responsibility.

Art. 10. At four o'clock, on Monday the 16th, the voting shall be finally closed; the committees shall proceed publicly to the summing up, and shall draw up a formal minute of all the operations and of the result of the vote.

The formal minute shall be signed by all the members of the committee, and shall be drawn up in copy, one of which shall be deposited in the archives of the commune and the other sent immediately to the governor who shall later, by a special decree, provide for whatever relates to the general count and to the proclamation of the vote.

Nice, April 7, 1860.

*The Provisional Governor,*

Lubonis.

### *Proclamation of the Syndic of the City of Nice, April* 8, 1860 [1]

Concitoyens!

Vous êtes appelés à accomplir un acte qui marquera dans vos annales une époque mémorable.

Le 15 et le 16 de ce mois les urnes du suffrage universel s'ouvriront pour constater votre volonté sur l'annexion à la France.

Dans un moment aussi solennel, la voix de votre premier magistrat municipal ne peut pas rester silencieux;

Fellow-citizens!

You are called to fulfill an act which will mark a memorable epoch in your annals.

On the 15th and 16th of this month the urns of universal suffrage will be opened to determine your will as to annexation with France.

At a moment of such solemnity, the voice of your chief municipal magistrate can not remain silent; both his il est de son devoir et de son honneur de vous déclarer franchement, ouvertement, la voie que sa conscience et l'intérêt public lui commandent de suivre.

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[1] *Atti del Parlamento Italiano* 10, Camera dei Deputati, April 12, 1860, p. 86.

Les devoirs que lui imposaient son histoire et les traditions de sa vieille fidélité, Nice les a noblement remplis.

En présence du traité du 24 mars, en présence de la proclamation de S. M. notre Roi bien-aimé du premier avril, tous ceux qui aiment véritablement leur pays, tous ceux qui sont sincèrement dévoués au Roi et à la cause italienne ne peuvent avoir qu'une seule pensée, qu'un seul but: c'est que la haute volonté des deux Souverains, acceptée par le libre consentement du peuple, ne rencontre ni difficulté, ni obstacle; c'est que sa franche et loyale exécution resserre d'une manière indissoluble les liens de l'alliance des deux grandes nations, sur laquelle reposent l'avenir et les espérances de l'Italie.

Serons-nous donc autour des urnes avec calme et dignité; soyons unis dans un même esprit de patriotisme éclairé et conciliant; que rien n'arrête la libre expression de nos vœux, mais que chacun de nous, en déposant son vote, songe à ce qu'il doit à son pays, à la France et à l'Empereur!

*Vive la France! Vive l'Empereur!*

Donné à l'hôtel de ville, le 8 avril 1860.

*Le syndic de la ville,*
Av. Malaussena.

duty and honor compel him to declare to you, frankly and openly, the path which his conscience and the public interest command him to follow.

Nice has nobly fulfilled the duties imposed by its history and traditions of ancient fidelity.

In the presence of the treaty of March 24, in the presence of the proclamation of April 1 of H. M. our beloved King, all those who truly love their country, all those who are sincerely devoted to the King and to the Italian cause can have but one thought, but one object, namely, that the high will of the two sovereigns, accepted by the free consent of the people, should encounter neither difficulty nor obstacle; that its frank and loyal execution should unite in indissoluble fashion the ties of alliance of the two great nations, on which rest the future and the hopes of Italy.

Let us crowd about the electoral urns with calm and dignity; let us be united in a like spirit of patriotism, enlightened and harmonious; let nothing prevent the free expression of our wishes, but let each one of us, on casting his vote, consider what he owes to his country, to France and to the Emperor!

*Long live France! Long live the Emperor!*

Done at the City Hall, April 8, 1860.

*The Syndic of the City,*
Av. Malaussena.

## *Proclamation of the Syndic of the City of Nice, Regarding Registration, April* 8, 1860 [1]

LE SYNDIC,

Vu le décret de M. le gouverneur provisoire de l'arrondissement en date du 7 courant,

ARRÊTE:

1. Le comité nommé par M. le gouverneur provisoire procédera dans les journées du 9, 10 et 11 courant à la formation des listes pour le vote qui doit avoir lieu dans les journées du 15 et du 16 de ce même mois.

2. Les citoyens inscrits sur les anciennes listes électorales ayant droit à être inscrits sur les listes nouvelles, et ceux notoirement connus comme tels, seront inscrits d'office.

3. Tous ceux qui croient avoir droit à l'inscription devront, dans les trois jours susindiqués, se présenter au bureau ouvert à l'hôtel de ville, pour y faire la déclaration de leur nom, prénom, lieu et date de naissance, et domicile.

Le bureau sera constamment ouvert depuis 8 heures du matin jusqu'à 6 heures du soir.

4. Aux termes de l'art. 25 de la loi du 25 octobre dernier, auquel se rapporte l'art. 4 du décret de M. le gouverneur provisoire, outre les interdits et ceux qui sont pourvus d'un conseil judiciaire, sont exclus du vote:

a) Ceux qui ont été déclarés en

THE SYNDIC,

In view of the decree of the Provisional Governor of the district, dated the 7th of the current month,

DECREES:

1. The Committee appointed by the Provisional Governor shall proceed during the days of the 9th, 10th, and 11th of the current month to the drawing up of the lists for the vote which is to take place during the 15th and 16th of the same month.

2. The citizens registered on the old electoral lists are entitled to be registered on the new lists and those publicly known to be such shall be registered without application.

3. All those who believe themselves to be entitled to be registered shall, within the three days above indicated, present themselves at the office opened in the City Hall, to there declare their name, surname, place and date of birth, and domicile.

The office shall be open continuously from 8 A. M. to 6 P. M.

4. According to the terms of Article 25 of the law of October 25 last, referred to in Article 4 of the decree of the Provisional Governor, besides those under special interdiction and those under authority of the court there are excluded from voting:

a) Those who have been declared

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[1] *Atti del Parlamento.* Camera dei Deputati, April 12, 1860, p. 87.

état de faillite et ceux qui ont fait cession de leurs biens sans avoir entièrement payés leurs créanciers.

b) Les condammés à des peines criminelles qui n'ont pas été réhabilités.

c) Les condamnés à des peines correctionnelles, ou à des interdictions particulières qu'ils subissent en ce moment.

d) Les condamnés pour vol, fraude, ou attentat aux mœurs.

5. S'ils s'élève des réclamations, elles seront portées immédiatement devant le comité qui restera en permanence.

6. Pour le vote, les citoyens inscrits seront partagés en quatre sections par ordre alphabéthique, et voteront dans les endroits ci-dessous désignés. . . .

7. Les comités pour présider aux opérations dans les quatre sections, ont été composés par M. le gouverneur provisoire de la manière suivante. . . .

8. Les opérations commenceront dans toutes les sections à neuf heures précises du matin des deux jours susénoncés.

Donné à l'hôtel de ville, le 8 avril 1860.

*Le syndic de la ville,*
AV. MALAUSSENA.

to be in a state of bankruptcy and those who have assigned their property without having made complete payment to their creditors.

b) Those under criminal sentence who have not been rehabilitated.

c) Those under sentence of correction, or who are at the moment under particular interdictions.

d) Those under sentence for theft, fraud or misdemeanors.

5. If these enter appeals, they shall be immediately carried to the Committee which shall be permanent.

6. For the purpose of the vote the registered citizens shall be alphabetically divided into four sections, and shall vote in the places designated below. . . .

7. The committees to preside over the operations in the four sections, have been constituted by the Provisional Governor in the following manner. . . .

8. The operations shall begin in all the sections promptly at nine o'clock on the morning of the two days announced below.

Done at the City Hall, April 8, 1860.

*The Syndic of the City,*
AV. MALAUSSENA.

### *Proclamation of the Governor Regent of the Province of Chambéry Regarding the Details of the Election. April 7*, 1860[1]

M. le Gouverneur de la Province de Chambéry a fait publier et afficher aujourd'hui la Proclamation suivante, sur les dispositions qui ont été arrêtées d'un commun accord, touchant l'expression des vœux par le suffrage universel entre les Gouvernements de Turin et de Paris: —

" Le Gouverneur de la Province de Chambéry s'empresse d'informer les habitants de la Province, qu'il a été convenu entre le Gouvernement Sarde et le Gouvernement Français que l'expression des vœux du pays se ferait au moyen du suffrage universel, et qu'à cet effet les dispositions qui suivent ont été arrêtées de concert entre eux:

" ART. 1. Les Savoisiens habitant la Province de Chambéry sont appelés à voter sur la question suivante: La Savoie veut-elle être réunie à la France?

" ART. 2. Le vote aura lieu par Oui et par Non, au scrutin secret, au moyen d'un bulletin manuscrit ou imprimé.

" Tout bulletin qui ne contiendrait pas une réponse directe à la question posée, ou qui contiendrait quelque expression répréhensible, sera considéré comme nul.

" ART. 3. Le scrutin sera ouvert dans chaque commune le Dimanche,

The Governor of the Province of Chambery has had the following Proclamation published and posted today, respecting the arrangements which have been unanimously adopted by the Governments of Turin and Paris for the expression of the public will by universal suffrage:—

" The Governor of the Province of Chambery hastens to inform the inhabitants of the Province that the Sardinian and French Governments have agreed that the expression of the wishes of the country should be made by means of a general vote, and that for this purpose the following arrangements have been agreed upon between them:—

" ARTICLE 1. The Savoyards inhabiting the Province of Chambery are invited to vote on the following question: Does Savoy wish to be united to France?

" ART. 2. The vote will be expressed by Yes or No, by ballot, either by means of a manuscript or printed paper.

" Every paper which does not contain a direct reply to the question asked, or which contains any objectionable expression, will be considered as null and void.

" ART. 3. The poll will be open in all the communes on Sunday the

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[1] Extract from the *Gazette de Savoie* of April 7; text and translation from *British Parliamentary Papers,* Affairs of Italy [2702], p. 164.

22 Avril, 1860, de 8 heures du matin à 7 heures du soir.

" Art. 4. Seront admis à voter tous les citoyens âges de 21 ans au moins, nés en Savoie, ou hors de la Savoie, de parents Savoisiens, habitant la commune depuis six mois au moins, et n'ayant pas subi de condamnation à une peine criminelle.

" Art. 5. Il sera formé dans chaque commune un Comité présidé par le Syndic, et en cas d'absence ou d'empêchement, par l'Assesseur le plus ancien non empêché de la Junte Municipale, et composé en outre de quatre membres pris dans la Junte, et au besoin dans le Conseil Municipal, par ordre d'ancienneté, suivant l'Article 193 de la Loi du 23 Octobre dernier.

" Ce Comité s'adjoindra un Secrétaire de son choix.

" Art. 6. Il dressera les listes et les fera afficher le Dimanche 15 courant au plus tard. Il statuera d'urgence sur les réclamations qui pourraient être faites.

" Il présidera à la votation et il en consignera le résultat dans un procès-verbal signé par tous les membres.

" Art. 7. Dans les communes où le Comité croirait nécessaire de former plusieurs sections, eu égard au nombre des citoyens inscrits, il sera établi, moyennant autorisation préalable du Gouverneur, pour chaque section, un bureau spécial, composé de

22nd of April, 1860, from 8 o'clock in the morning till 7 o'clock in the evening.

" Art. 4. All citizens of not less than 21 years of age, born in Savoy, or of Savoyard parents out of Savoy, having lived in the commune not less than six months, and not having been condemned to any criminal punishment, will be allowed to vote.

" Art. 5. A Committee will be formed in each commune, presided over by the Syndic, or in case of his absence, by the senior Assessor of the Municipal Junta, and composed, besides, of four members taken from the Junta, and if necessary from the Munipical Council, by order of seniority, according to Article 193 of the Law of the 23rd of October last.

" This Committee will select a Secretary.

" Art. 6. He will arrange the lists, and will have them posted on Sunday, the 15th instant, at the latest. He will decide, in case of necessity, upon the objections which may be raised.

" He will preside at the poll, and he will announce the result in a *procès-verbal* signed by all the members.

" Art. 7. In the commune where the Committee shall think it necessary to form several sections, on account of the number of citizens inscribed, a special bureau shall be established for each section, composed of five members of the Municipal cinq membres pris dans le Conseil Communal, de la manière indiquée dans l'Article 5 ci-dessus.

" Sont au surplus applicables à ce vote les dispositions d'ordre public contenues dans les Articles 5, 52, 53, 54, 55 et 56, ainsi que celles de l'Article 65 de la Loi précitée du 23 Octobre dernier.

" Art. 8. Le dépouillement étant achevé, les procès verbaux seront immédiatement transmis aux Intendants des Arondissements, qui les feront parvenir au secrétariat de la Cour d'Appel par l'intermédiaire du Gouverneur.

" Art. 9. La Cour, Chambres réunies, procédera au dépouillement général et en constatera le résultat par un arrêt prononcé en séance publique.

" Chambéry, le 7 Avril, 1860.
*"Le Gouverneur Régent,*
(Signé) " Du Pasquier."

Council, in the manner pointed out in Article 5 above.

" The arrangements for public order contained in Articles 51, 52, 53, 54, 55, and 56, are also applicable to this vote, as well as those of Article 65 of the Law above mentioned of the 23rd of October last.

" Art. 8. The result of the votes being ascertained, the *procès-verbal* will be immediately transmitted to the Intendants of the Arrondissement, who will send them through the Governor to the Secretary's office at the Court of Appeal.

" Art. 9. The Court, the Houses being united, will proceed to the general scrutiny, and will announce the result by a Decree pronounced in public assembly.

" Chambery, April 7, 1860.
*" Le Gouverneur Régent,*
(Signed) " Du Pasquier."

## *Circular of Instructions Issued to the Syndics of Savoy by the Governor*[1]

*Chambéry, le 9 avril,* 1860.

M. le Syndic,

Pour mieux garantir la sincérité du vote solennel qui doit avoir lieu le 22 du courant, en assurant la régularité des opérations, j'ai jugé convenable de vous adresser encore quelques instructions relatives aux dispositions contenues dans le manifeste du 7 du courant.

*Chambery, April* 9, 1860.

M. le Syndic,

In order more thoroughly to guarantee the sincerity of the solemn vote which is about to take place on the 22nd of this month, and to insure the regularity of the proceedings, I have thought fit to address some further instructions to you relative to the provisions contained in the manifesto of the 7th instant.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy [2656], p. 186.

Je vous prie en même temps de bien faire comprendre à vos administrés que Sa Majesté le Roi Victor Emanuel, en signant le Traité du 24 Mars dernier, et en nous appellant, par sa proclamation du 1 d'Avril, à donner notre adhésion à ce Traité, nous a par la même deliés de nos serments, et nous a rendu notre pleine liberté.

Faites-leur remarquer aussi que la Savoie n'a pas à se prononcer entre le Gouvernement Sarde et le Gouvernement Français; les versants Français des Alpes ne peuvent plus appartenir à l'Etat puissant dont le Piémont fait maintenant partie.

Il n'y a donc pas de choix à faire entre France et le Piémont, et la question est uniquement de savoir si nous voulons adhérer au Traité qui nous réunit à la grande nation Française, ou si nous préférons livrer notre pays au chances imprévues d'un avenir inconnu. Que chacun mette la main sur son cœur et qu'il réponde en toute liberté!

I beg of you, at the same time, to explain to the persons under your administration that His Majesty King Victor Emanuel, by signing the Treaty of the 24th of last March, and by summoning us by his Proclamation of the 1st of April to notify our adhesion to this Treaty, has thereby released us from our oaths, and given us our entire liberty.

Point out to them, too, that Savoy has not to choose for Sardinia or for France. The French sides of the Alps can no longer belong to the powerful State of which Piedmont now forms a part.

We have, therefore, not to choose between France and Piedmont. The question before us is, only whether we wish to stand by the Treaty which unites us to the great French nation, or whether we prefer to give up our country to the unforeseen chances of an unknown future. Let each man put his hand on his heart, and answer with all freedom.

### *The Swiss Federal Council Renews its Protest to the Powers* [1]

The Swiss Federal Council to Lord J. Russell

*Berne, le* 11 *avril,* 1860.

D'après des rapports concordants et dignes de foi, la votation sur l'annexion de la Savoie à la France a été fixée au 22 Avril prochain. La question doit être posée comme suit: Annexion á la France, Oui ou Non.

*Berne, April* 11, 1860.

According to concurrent and credible reports, the voting on the annexation of Savoy to France has been fixed for the 22nd of next April. The question is to be put as follows: Annexation to France — Yes, or No.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy, Savoy and Switzerland [2702], p. 179.

La votation aura lieu par communes.

Le Conseil Fédéral Suisse ne saurait accepter en silence la nouvelle phase dans laquelle l'affaire pendante doit entrer. Il a déjà eu l'honneur d'exposer dans la note circulaire du 19 Mars à que il croit devoir apprécier en général les effets d'une pareille votation. Déjà à cette occasion il a exprimé l'opinion que les droits sur les provinces neutralisées de la Savoie, droits si solennellement garantis par l'Europe, ne sauraient être mis à néant ni par une simple cession ni par une votation populaire. En ce qui concerne la votation elle-même, le Conseil Fédéral a cru devoir exposer en toute franchise et à diverses fois sa maniére de voir et a réservé formellement ses droits à cet égard.

Aussitôt après les proclamations bien connues des Gouverneurs d'Annecy et de Chambéry, des 8 et 10 Mars, il a chargé ses Représentants à Paris et à Turin de protester contre toute votation jusqu'à ce qu'on se fût entendu avec la Suisse. Il a formellement déclaré qu'il ne pourrait pas reconnaître comme obligatoire une votation opérée sans une entente préalable, une votation dans laquelle la Suisse et ses légitimes prétentions seraient méconnues.

Il a absolument maintenu ce point de vue dans sa nouvelle protestation du 27 Mars, en demandant que la Suisse fût consultée sur le mode de procéder à une votation dans les

The voting will take place by communes.

The Swiss Federal Council could not accept in silence the new phase into which the pending affair is about to enter. It has already had the honour to explain, in its circular note of March 19, from what point of view it believes that it must appreciate in general the effects of a mode of voting of this kind. Already, on that occasion, it expressed the opinion that the rights over the neutralized provinces of Savoy, rights so solemnly guaranteed by Europe, could not be extinguished either by a simple cession or a popular vote. As far as concerns the voting itself, the Federal Council has considered it its duty to explain its view with all frankness and on several occasions, and has formally reserved its rights in that respect.

Immediately after the well-known proclamations of the Governors of Annecy and Chambery, of the 8th and 10th of March, it instructed its Representatives at Paris and Turin to protest against any voting until an understanding had been come to with Switzerland. It formally declared that it could not recognize as obligatory a vote taken without a previous understanding; a vote in which Switzerland, and her legitimate pretensions, should be ignored.

It absolutely maintained this point of view in its new Protest of March 27, by demanding that Switzerland should be consulted upon the mode of proceeding to a vote in the neutralized

provinces neutralisées et qu'à cet égard il ne fût rien fait sans son assentiment. Le Conseil Fédéral a eu l'honneur d'en donner connaissance aux hauts garants des Traités Européens par note du même jour, en ajoutant qu'il devait insister sur le maintien absolu du même jour, en ajoutant qu'il devait insister sur le maintien absolu du *statu quo* jusqu'à ce que l'entente mise en perspective, avec les Puissances et la Suisse elle-même, fût intervenue. Par la votation projetée, susmentionée, toutes ces réclamations, toutes ces demandes aussi justes qu'équitables de la Suisse seraient entièrement méconnues. Il doit être procédé à un acte d'une grande portée politique et morale, sans le concours de l'un des principaux intéressé, sans l'entente préalable des Puissances dont la réunion, avec la participation de la Suisse, a été positivement sollicitée par la note du 5 courant.

En présence de ce fait, impliquant un mépris flagrant de ses droits, le Conseil Fédéral éprouve le besoin de déclarer positivement qu'il ne saurait reconnaître comme décisif le résultat de la prochaine votation et qu'il devrait protester formellement contre toute inférence par laquelle on voudrait se prévaloir de cet acte pour porter atteinte aux droits appartenant à la Suisse.

Le Conseil Fédéral peut d'autant moins reconnaître la votation comme obligatoire que d'un côté la libre expression de la volonté que l'on n'a cessé de réclamer pour la population de la Savoie du Nord n'est pas as-

provinces, and that in that matter nothing should be done without her consent. The Federal Council had the honour to communicate that protest to the High Powers who guaranteed the European Treaties by a note of the same day; adding that it must insist upon the absolute maintenance of the *status quo,* until the understanding in prospect, with the Powers and Switzerland herself, should have intervened. By the projected vote above mentioned, all these remonstrances, all these demands of Switzerland, as just as they are equitable, would be entirely ignored. An act is to be performed of great political and moral bearing, without the concurrence of one of the principals interested; without the previous understanding of the Powers whose meeting, with the participation of Switzerland, had been positively solicited by the note of the 5th instant.

In face of this fact, implying a flagrant contempt for its rights, the Federal Council feels the need of declaring positively that it could not recognize as decisive the result of the approaching vote, and that it must protest formally against any inference by which it might be wished to take advantage of that act to infringe the rights belonging to Switzerland.

The Federal Council can so much the less recognize the vote as obligatory, inasmuch as on one side the free expression of will which has been unceasingly claimed for the population of Northern Savoy is not assured;

surée, que de l'autre il doit y être procédé sans l'entente préalable avec la Suisse, et qu'enfin le Conseil Fédéral n'a aucun moyen pour contrôler la votation, tandis qu'il est de notoriété que des Agents Français ayant à leur tête le Sénateur Laity, travaillent en Savoie dans l'intérêt de la France.

Le Conseil Fédéral se trouve dès lors dans la position de renouveler ses protestations devant les hauts garants des Traités Européens et en face de toute l'Europe. Il leur recommande avec instance de soumettre la présente réclamation à une appréciation sérieuse et impartiale, tout comme aussi de prendre dûment en considération les droits de la Suisse et de faire de promptes démarches pour le maintien du *statu quo.*

Il saisit, &c.

Au nom du Conseil Fédéral,
*Le Président de la Confédération,*
(Signé) FREY-HEROSEE.
*Le Chancelier de la Confédération,*
SCHIESS.

and as, on the other, it is contemplated to act without previous understanding with Switzerland; and as, finally, the Federal Council has no means of controlling the voting, whilst it is notorious that French Agents having at their head the Senator Laity are working in Savoy in the interest of France.

The Federal Council is therefore in the position of renewing its protests before the High Powers who guaranteed the European Treaties, and in face of all Europe. It earnestly recommends them to submit the present remonstrance to a serious and impartial appreciation, as also to take duly into consideration the rights of Switzerland, and to take prompt steps for the maintenance of the *status quo.*

It seizes, &c.,

In the name of the Federal Council,
*The President of the Confederation,*
(Signed): FREY-HEROSEE.
*The Chancellor of the Confederation,*
SCHIESS.

## *Circulars Sent by the Intendant Regent of Faucigny to the Syndics, Communal Magistrates, Governors of Charitable Associations and Public Functionaries* [1]

*Intendance de l'Arondissement du Faucigny.*

Objet: Entrée en Fonctions.

*Bonneville, le* 16 *Avril,* 1860.

MESSIEURS,

Appelé à régir l'Intendance de

*Intendance of the Arrondissement of Faucigny*

Subject: Entry on Functions.

*Bonneville, April* 16, 1860.

GENTLEMEN,

Invited to superintend the Intend-l'Arrondissement du Faucigny en remplacement de M. le Chevalier Bergoën, je sens toute l'importance et la responsabilité de l'emploi qui m'est confié.

---

[1] Extract from *Journal de Génève;* text and translation from *British Parliamentary Papers,* Affairs of Italy, 1860 [2656], p. 206.

Mais, enfant du Faucigny, dévoué à mon pays et à mes concitoyens, j'ose assumer cette charge, parce que je compte sur le zèle éclairé et le concours bienveillant des Syndics et autres Administrateurs, et des fonctionnaires publics avec lesquels je dois entrer en relation.

La votation à laquelle sont appelés tous les Savoisiens pour les 22 et 23 de ce mois, est l'acte le plus solennel auquel il soit donné à un peuple libre de prendre part; elle va décider de l'avenir de notre chère patrie.

La votation doit avoir lieu avec toute la liberté possible, mais, pour en assurer l'heureux résultat, il importe de bien éclairer les votants.

Veuillez leur rappeler, Messieurs, qu'il n'est pas question de prononcer sur une préférence entre la France et le Piémont, entre la France et la Suisse; que le Piémont nous a cédés à la France par le Traité du 24 Mars, et que nous ne pouvons plus lui appartenir; et que la Suisse est étrangère à ce Traité, soumis a leur adhésion.

Reste donc le vote affirmatif ou négatif sur la réunion à la France, tout autre vote étant réputé nul.

En votant affermativement, on confirme la votation ( ?) [1] de nos pères

ance of the Arrondissement of Faucigny in place of the Chevalier Bergoën, I feel the whole importance and responsibility of the employment which is confided to me.

But, a child of Faucigny, devoted to my country and my fellow-citizens, I venture to assume this charge, because I count upon the enlightened zeal and the friendly assistance of the Syndics and other Magistrates, and of the Public Functionaries, with whom I am to enter into relations.

The voting to which all Savoyards are invited on the 22nd and 23rd of this month, is the most solemn act in which it could be given to a free people to take part; it is to decide the future of our dear country.

The voting is to take place with all possible liberty, but, in order to ensure the successful result of it, it is necessary to instruct the voters well.

Be good enough to remark to these gentlemen, that there is no question of pronouncing on a preference between France and Piedmont, between France and Switzerland; that Piedmont has ceded us to France by the Treaty of the 24th of March, and that we can no longer belong to her; and that Switzerland is a stranger to that Treaty, which is submitted for their adhesion.

There remains, therefore, the vote affirmative or negative upon union with France; any other vote being reputed null.

By voting affirmatively, you adhere to the voting ( ?) of your sires en 1792; on rentre dans la grande famille après une longue absence pour y jouir des droits et avantages attachés à la qualité de Français, et du privilège inappréciable d'une zone douanière, que vous désirez depuis si longtemps et qui est officiellement garantie.

---

[1] This interrogation appears in the text as printed in *Parliamentary Papers.*

L'Empereur, qui est la personnification des idées grandes et généreuses, ne restera pas insensible à cette manifestation des sympathies d'un peuple; il rendra à ce peuple en bienveillance le centuple de la satisfaction qu'il lui aura causée.

En votant négativement, la Savoie sera réduite à l'impuissance, à l'anarchie.

Il était de mon devoir de faire connaître la situation pour éviter des surprises.

Agréez, &c.
*L'Intendant Régent du Faucigny,*
(Signé) J. Guy.

*Intendance du Faucigny*

Objet: Vote des 22 et 23 Avril

*Bonneville, le* 17 *avril,* 1860.

Monsieur,

Le 22 courant tous les Savoisiens sont appelés à fixer eux-mêmes leurs destinées.

Je crois inutile d'insister sur l'importance de l'acte solennel auquel doivent prendre part tous nos compatriotes.

Votre mission, Monsieur, vous impose de nouveaux devoirs, de nou-

in 1792; you re-enter into the great family, after a long absence, to enjoy therein rights and advantages attached to the title of Frenchmen, and the inappreciable privileges of a Customs zone, which you have so long desired, and which is officially guaranteed.

The Emperor, who is the personification of great and generous ideas, will not remain insensible to this manifestation of the sympathies of a people; he will restore to that people in benevolence a hundred-fold the satisfaction which it shall have caused him.

By voting negatively, Savoy will be reduced to impotence and anarchy.

It was my duty to make known the situation in order to avoid mistakes.

Receive, &c.,
*The Intendant Regent of Faucigny,*
(Signed) J. Guy.

*Intendance of the Arrondissement of Faucigny*

Subject: Vote of the 22nd and 23rd of April

*Bonneville, April* 17, 1860.

Sir,

On the 22nd instant, all the Savoyards are invited themselves to fix their destinies.

I consider it useless to insist on the importance of the solemn act in which all our compatriots are to take part.

Your mission, Sir, imposes on you new duties, new obligations still velles obligations, plus grandes encore que celles que votre dévouement à la chose commune vous a sans nul doute déjà dictées.

Profitez de l'influence que vos services passés vous donnent sur les habitants des campagnes pour bien leur faire comprendre l'intérêt majeur qui se rattache à la votation des 22 et 23 Avril, 1860.

Qu'ils soient mis en garde contre les menées de ces hommes qui, ne pouvant faire prévaloir leurs criminelles tentatives, voudraient les entrainer dans leur chute. Qu'ils comprennent bien que ce sont des conseils perfides, ceux de ces faux patriotes qui leur disent, " Tout est fini; il est inutile de voter."

L'abstention est toujours un acte de mauvais citoyen. Aujourd'hui ce serait plus encore; ce serait une faute irréparable.

Il faut qu'une immense majorité, la presque unanimité des bulletins apprenne à l'Europe que la Savoie est toute entière Française par le cœur, et que les exigences de la politique se sont parfaitement conciliées avec les aspirations nationales.

Vous donnerez une preuve éclatante de votre dévouement à la Savoie en vous conformant aux instructions de cette lettre.

En m'adressant à vous avec pleine confiance, j'espère que vous voudrez bien me prêter une active collaboration.

Agréez, &c.

*L'Intendant Régent du Faucigny,*
(Signé) J. Guy.

greater than those which your devotion to the common affairs has, without any doubt, already dictated to you.

Take advantage of the influence which your past services give you over the inhabitants of the " campagnes," to make them understand the deep interest which attaches to the voting of the 22nd and 23rd April, 1860.

Let them be put on their guard against the practices of those men who, being unable to gain success for their criminal attempts, would wish to drag them with them in their fall. Let them well understand that they are perfidious counsels, those of these false patriots who say to them, " All is finished; it is useless to vote."

To abstain is always an act of bad citizenship; at present it would be still more; it would be an irreparable fault.

It is necessary that an immense majority, the all but unanimity of the votes, should teach Europe that Savoy is entirely French at heart, and that political exigencies are perfectly in unison with the national aspirations.

You will give a striking proof of your devotion to Savoy by conforming yourself to the instructions of this letter.

In addressing you with full confidence, I hope that you will be good enough to lend me an active cooperation.

Receive, &c.,

*The Intendant Regent of Faucigny,*
(Signed) J. Guy.

## *The Vote of the County of Nice as Announced by the Court of Appeals, April 28, 1860* [1]

### (Dépêche Officielle)

Voici jusqu'à présent le résultat du vote des militaires appartenant au Comté de Nice:

*(Provisional statement of the result of the vote of the soldiers belonging to the County of Nice.)*

| | |
|---|---|
| Oui<br>*(Yes)* | 1,200 |
| Non<br>*(No)* | 186 |
| Nuls<br>*(Void)* | 23 |

### Tableau Officiel du Vote du 15 et du 16 Avril

*(Official Statement of the Vote of April* 15 *and* 16)

| Communes | Inscrits *(Registered)* | Votants *(Voting)* | Oui *(Yes)* | Non *(No)* | Nuls *(Void)* |
|---|---|---|---|---|---|
| Nice | 7,918 | 6,846 | 6,810 | 11 | 25 |
| Ascros | 146 | 129 | 129 | .. | .. |
| Aspremont | 505 | 412 | 412 | .. | .. |
| Auvare | 33 | 33 | 32 | .. | 1 |
| Bairols | 67 | 65 | 65 | .. | .. |
| Belvedere | 283 | 261 | 261 | .. | .. |
| Berre | 175 | 174 | 174 | .. | .. |
| Beuil | 152 | 145 | 145 | .. | .. |
| Bollene | 210 | 208 | 208 | .. | .. |
| Bonson | 120 | 114 | 114 | .. | .. |
| Breil | 841 | 557 | 556 | 1 | .. |
| Briga | 1,190 | 323 | 323 | .. | .. |
| Castellar | 219 | 137 | 79 | 58 | .. |
| Chateauneuf | 337 | 305 | 305 | .. | .. |
| Chateauneuf d'Entraunes | 75 | 70 | 70 | .. | .. |
| Castillon | 100 | 37 | 72 | 1 | .. |
| Clans | 232 | 212 | 212 | .. | .. |
| Coaraze | 211 | 209 | 209 | .. | .. |
| Contes | 521 | 499 | 499 | .. | .. |
| Cuebris | 92 | 84 | 84 | .. | .. |
| Daluis | 95 | 94 | 94 | .. | .. |
| Drap | 247 | 217 | 217 | .. | .. |
| Duranus | 81 | 76 | 76 | .. | .. |
| Entraunes | 151 | 147 | 147 | .. | .. |
| Escarène | 465 | 425 | 424 | 1 | .. |

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[1] Extract from the *Messager de Nice,* April 29, *British Parliamentary Papers,* Affairs of Italy [2702], p. 217.

| Communes | Inscrits (*Registered*) | Votants (*Voting*) | Oui (*Yes*) | Non (*No*) | Nuls (*Void*) |
|---|---|---|---|---|---|
| Eze | 171 | 133 | 133 | .. | .. |
| Falicon | 52 | 51 | 51 | .. | .. |
| Gilette | 230 | 230 | 230 | .. | .. |
| Gorbio | 170 | 85 | 59 | 26 | .. |
| Guillaumes | 307 | 292 | 292 | .. | .. |
| Lieusola | 287 | 266 | 266 | .. | .. |
| La Croix | 92 | 90 | 90 | .. | .. |
| Lantosque | 696 | 627 | 627 | .. | .. |
| La Penne | 71 | 70 | 70 | .. | .. |
| La Tour | 244 | 227 | 227 | .. | .. |
| Levens | 487 | 481 | 481 | .. | .. |
| Lieuche | 52 | 47 | 47 | .. | .. |
| Lucérame | 305 | 302 | 302 | .. | .. |
| Malaussene | 123 | 109 | 109 | .. | .. |
| Marie | 72 | 67 | 67 | .. | .. |
| Massoins | 81 | 78 | 78 | .. | .. |
| Menton | 910 | 695 | 639 | 54 | .. |
| Molinet | 330 | 231 | 231 | .. | .. |
| Peille | 548 | 408 | 408 | .. | .. |
| Peillon | 167 | 151 | 151 | .. | .. |
| Peone | 179 | 179 | 179 | .. | .. |
| Pierlas | 53 | 46 | 46 | .. | .. |
| Pierrefeu | 68 | 66 | 66 | .. | .. |
| Puget-Rostang | 60 | 57 | 57 | .. | .. |
| Puget-Thénier | 374 | 352 | 352 | .. | .. |
| Rigaud | 156 | 144 | 144 | .. | .. |
| Rimplas | 71 | 55 | 55 | .. | .. |
| Roubion | 105 | 101 | 101 | .. | .. |
| Roquebillère | 527 | 503 | 503 | .. | .. |
| Roquebrune | 210 | 194 | 194 | .. | .. |
| Roquesteron | 122 | 122 | 122 | .. | .. |
| La Roquette | 235 | 228 | 228 | .. | .. |
| Roure | 157 | 154 | 154 | .. | .. |
| Ste. Agnès | 176 | 96 | 91 | 5 | .. |
| St. André | 167 | 166 | 166 | .. | .. |
| St. Antonin | 27 | 27 | 27 | .. | .. |
| St. Blaise | 102 | 98 | 98 | .. | .. |
| St. Dalmas le Sauvage | 213 | 213 | 213 | .. | .. |
| St. Leger | 38 | 38 | 38 | .. | .. |
| St. Martin d'Entraunes | 158 | 148 | 148 | .. | .. |
| St. Martin Lantosque | 441 | 425 | 425 | .. | .. |
| St. Sauveur | 148 | 117 | 117 | .. | .. |
| St. Etienne | 609 | 505 | 505 | .. | .. |
| Saorgio | 793 | 605 | 605 | .. | .. |
| Sauz | 91 | 74 | 74 | .. | .. |
| Sigale | 118 | 118 | 118 | .. | .. |
| Sospel | 940 | 868 | 864 | 2 | 2 |
| Tende | 676 | 388 | 387 | 1 | .. |
| Thierry | 64 | 61 | 61 | .. | .. |
| Toudon | 140 | 139 | 139 | .. | .. |
| Touet de Beuil | 114 | 114 | 114 | .. | .. |

| Communes | Inscrits<br>(*Registered*) | Votants<br>(*Voting*) | Oui<br>(*Yes*) | Non<br>(*No*) | Nuls<br>(*Void*) |
|---|---|---|---|---|---|
| Touet de l'Escarène... | 123 | 105 | 105 | .. | .. |
| Tournefort .......... | 60 | 56 | 56 | .. | .. |
| Tourette-Levens ...... | 408 | 369 | 369 | .. | .. |
| Tourrette-Revest .... | 119 | 119 | 119 | .. | .. |
| Trinité-Vict. ......... | 433 | 301 | 301 | .. | .. |
| Turbie .............. | 224 | 191 | 191 | .. | .. |
| Utelle ............... | 729 | 694 | 694 | .. | .. |
| Valdeblore .......... | 282 | 212 | 212 | .. | .. |
| Venanson ........... | 84 | 70 | 70 | .. | .. |
| Villefranche ......... | 604 | 535 | 535 | .. | .. |
| Villeneuve d'Entraunes | 73 | 73 | 73 | .. | .. |
| Villars ............... | 245 | 228 | 228 | .. | .. |
| Ylonse .............. | 134 | 124 | 124 | .. | .. |
| Total ........... | 30,712 | 25,933 | 25,743 | 160 | 30 |

## *Result of the Plebiscite of Savoy as Proclaimed by the Municipal Junta of Chambery. April* 29, 1860 [1]

HABITANTS DE CHAMBÉRY,

La Savoie tout entière vient de déclarer qu'elle veut être Française.

135,449 Savoisiens étaient consultés sur les destinées de leur patrie: 130,533 ont opté pour la France (235 non, 71 bulletins nuls).

Jamais un tel spectacle n'avait été offert au monde.

Il ne saurait plus y avoir aujourd'hui de vainqueurs ni de vaincus. Au milieu de cette imposante unanimité, les vieilles haines de parti ont dû disparaître et ne laisser après elles que l'union et la paix.

Le Faucigny et le Chablais, qu'on avait cherché à séparer de notre cause, continueront à partager nos destinées, et l'antique lien qui unissait les provinces de la Savoie ne sera point brisé.

INHABITANTS OF CHAMBERY,

The whole of Savoy has just declared that she desires to be French.

135,449 Savoyards have been consulted as to the destiny of their country: 130,533 have chosen France (235 against, 71 tickets null).

Never was a like spectacle offered to the world.

This day can there be no longer conquerors and conquered. In the midst of this imposing unanimity the ancient enmities of party were forced to disappear, and to leave behind them only union and peace.

Faucigny and Chablais, which had been sought to be separated from our cause, will continue to share our destinies, and the ancient tie which united together the Provinces of Savoy will not be broken.

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy, Savoy and Switzerland [2702], p. 227.

En nous rappelant avec orgueil le passé de notre pays, nous pouvons être heureux et fiers de son avenir. Chambéry retentit encore des cris de joie qui ont accueilli le résultat du scrutin de notre antique cité. Nous acclaminons ce résultat comme l'honneur de notre ville, comme l'expression de ce que la Savoie entière venait de voter en même temps que nous. L'événement a pleinement justifié ces prévisions.

Bientôt la décision du Parlement aura tranché définitivement cette question, qui tient notre pays en suspens depuis plusiers mois. A cette époque seulement notre sort sera irrévocablement fixé. Alors nous pourrons exprimer notre allégresse de nous voir enfin rentrés dans le sein de la grande famille Française; alors nous appellerons votre concours pour une fête publique qui soit à la hauteur de nos sentiments.

Vive la France! Vive l'Empereur!

*Chambéry, le 29 Avril,* 1860.
*Les Membres de la Junte,*
(Signé) L. MARTIN,
J. DE VILLE,
T. CHAPPERON,
F. GRUAT,
E. DE BOIGNE,
BOURBON.

In recalling with pride our country's past, we can be happy and exulting for its future. Chambery still rings with the cries of joy which greeted the result of the poll in our ancient city. We hailed this result as an honour to our town, as the expression of what entire Savoy had just voted at the same time as ourselves. The event has fully borne out these prognostications.

Shortly will the decision of Parliament have definitively solved this question, which during several months has kept our country in suspense. At that period only will our lot be irrevocably fixed. Then will it be for us to express our gratification at finding ourselves at length restored to the bosom of the great French family; then shall we invite your co-operation in a public festival which may be worthy of the depth of our sentiments.

Vive la France! Vive l'Empereur!

*Chambery, April* 29, 1860.
*The Members of the Junta,*
(Signed) L. MARTIN.
J. DE VILLE.
T. CHAPPERON.
F. GRUAT.
E. DE BOIGNE.
BOURBON.

### *The Vote of Savoy by Districts and Communes as Announced by the Court of Appeals. April 29,* 1860[1]

| | | | Bulletins (*Ballots*) | | |
|---|---|---|---|---|---|
| Arrondissements. (*Districts*) | Inscrits. (*Registered*) | Votants. (*Voting*) | Affirmatifs. (*Affirmative*) | Négatifs. *Negative* | Nuls. *Void* |
| Chambéry | 36,826 | 35,961 | 35,892 | 51 | 18 |
| Albertville | 10,477 | 10,342 | 10,334 | 6 | 2 |
| St. Jean de Maurienne | 15,438 | 15,240 | 15,226 | 12 | 2 |
| Moûtiers | 9,249 | 9,093 | 9,093 (*sic*) | 5 | 4 |
| Total | 71,990 | 70,636 | 70,536 | 74 | 26 |
| Annecy | 25,986 | 24,999 | 24,945 | 43 | 11 |
| Thonon | 14,594 | 13,866 | 13,836 | 27 | 3 |
| Bonneville | 22,879 | 21,338 | 21,216 | 91 | 31 |
| Total | 63,459 | 60,203 | 59,996 | 161 | 45 |
| Total général (*Grand total*) | 135,449 | 130,839 | 130,533 | 235 | 71 |

### *Votes of the Thirty-Two Principal Communes of Savoy*

| | | | Bulletins (*Ballots*) | |
|---|---|---|---|---|
| Communes | Inscrits (*Registered*) | Votants (*Voting*) | Oui (*Yea*) | Non (*Nay*) |
| Chambéry | 3,953 | 3,619 | 3,588 | 22 |
| Annecy | 2,296 | 2,139 | 2,117 | 21 |
| Thonon | 1,265 | 1,161 | 1,160 | 1 |
| Aix-les-Bains | 1,195 | 1,105 | 1,091 | 13 |
| Roumilly | 1,128 | 1,125 | 1,125 | .. |
| St. Jean de Maurienne | 809 | 795 | 795 | .. |
| Yenne | 835 | 802 | 802 | .. |
| Albertville | 731 | 722 | 719 | 2 |
| Moûtiers | 468 | 462 | 462 | .. |
| Bonneville | 539 | 517 | 516 | .. |
| La Roche | 795 | 757 | 755 | 2 |
| Sallanches | 425 | 423 | 422 | 1 |
| Cluses | 417 | 416 | 416 | 1 |
| Bourg St. Maurice | 637 | 629 | 629 | .. |
| Seyssel | 436 | 408 | 408 | .. |
| Annemasse | 315 | 293 | 292 | 1 |
| St. Julien | 298 | 276 | 273 | 2 |
| Faverges | 805 | 790 | 790 | .. |
| Thônes | 650 | 609 | 609 | .. |
| Evian | 535 | 502 | 502 | .. |
| Montmélian | 310 | 305 | 305 | .. |

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[1] From the Supplement to the *Gazette de Savoie* of May 3, 1860. *British Parliamentary Papers,* Affairs of Italy [2656], p. 228.

| | | | Bulletins (*Ballots*) | |
|---|---|---|---|---|
| Communes | Inscrits (*Registered*) | Votants (*Voting*) | Oui (*Yea*) | Non (*Nay*) |
| St. Pierre d'Albigny | 895 | 864 | 864 | .. |
| Pont Beauvoisin | 322 | 321 | 321 | .. |
| Les Echelles | 249 | 249 | 248 | .. |
| St. Genix | 532 | 507 | 507 | .. |
| Ugines | 549 | 533 | 533 | .. |
| Aiguebelle | 285 | 285 | 285 | .. |
| Thorens | 685 | 627 | 627 | .. |
| Chamonix | 620 | 609 | 608 | .. |
| St. Gervais | 396 | 356 | 340 | 16 |
| Samoens | 570 | 550 | 548 | 2 |
| Taninges | 539 | 505 | 505 | .. |

## *Observations of the President of the Council of Ministers on Presenting to the Sardinian Chambers the Bill for Giving Execution to the Treaty of Turin. May* 12, 1860[1]

SIGNORI,

Ho l'onore di presentare alla Camera il progetto di legge che autorizza i, Governo del Re a dar esecuzione al Trattato conchiuso a Torino il 24 Marzo, 1860, per la riunione della Savoia e del circondario di Nizza alla Francia.

GENTLEMEN,

I have the honour to present to the Chamber the Bill authorizing the Government to carry out the Treaty of 24th March, 1860, for the union of Savoy and Nice to France.

. . . . .

In pochi mesi, mercè l'aiuto generosa accordatoci dall'Imperatore dei Francesi, un regno di undici milioni d'Italiani, capaci di difendere oramai la propria indipendenza, sottentrò a quello Stato Subalpino che per aver assunta la difesa della causa d'Italia vedeva le sue provincie invase dalle truppe Austriache.

In the course of a few months, thanks to the generous help of the Emperor of the French, a kingdom of 11,000,000 of Italians, capable of defending itself, grew out of that Subalpine State which in taking up the cause of Italian defence saw its provinces invaded by Austria.

. . . . .

La Francia, che ebbe tanta parte nei combattimenti avvenuti, espose al Governo del Re non essere conveniente

France, which took such part in these conflicts, objected to Sardinia, thus enlarged, retaining the frontier

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[1] Text and translation from *British Parliamentary Papers,* Affairs of Italy, Savoy and Switzerland [2702], p. 246.

che il Regno di Sardegna, cosi ampliato di territorio e di sudditi, conservasse quelle stessa linea di frontiere che l'Europe aveva fissata fra i due paesi nei Trattati del 1815. Il Governo Francese domandò quindi la cessione, a titolo di rettificazione di frontiere, delle nostre provincie poste al di là delle Alpi.

Per quanto grave fosse il sacrificio che ci veniva chiesto, il Re ed i suoi Ministri non riputarono di poter respingere questa domanda.

Consci, anche per recenti esperienze, che l'ingratitudine è il peggiore dei sistemi politici, noi non volemmo che la Francia potesse rammaricare l'aiuto accordatoci, e stimarsi meno tranquilla e sicura avendo per vicina, anzichè l'Italia debole e divisa, l'Italia degli Italiani.

Però, nell'acconsentire alla separazione di due province, le quali, benche divise dal resto dello Stato da alte catene di monti, avevano dato all'augusta nostra Dinastia tante prove di fedeltà e d'affetto, il Governo del Re appose al suo assenso alcune importantissime condizioni.

Stabilì in primo luogo che la Francia si obbligasse ad osservare, rispetto alle provincie neutralizzate della Savoia, tutte le speciali stipulazioni vigenti a questo proposito fra la Sardegna e la Confederazione Elvetica.

Chiese inoltre che le popolazioni della Savoia e del circondario di Nizza fossero consultate intorno alla loro riunione alla Francia con quella stessa forma di votazione con cui gli abitanti

towards France fixed in 1815, and therefore demanded our provinces beyond the Alps.

However great the sacrifice, we did not think we could refuse the request.

Well aware that the worst of political systems is ingratitude, we were unwilling that France should regret her aid, and feel less secure in having as a neighbour, instead of Italy weak and divided, Italy of the Italians.

Still before consenting, several important conditions were made.

Firstly, that France should bind herself to observe, as regards neutral Savoy, all the special stipulations existing between Sardinia and Switzerland;

That Nice and Savoy should express their wishes by the same mode of vote as had been used by the Italians in voting their annexation to Sardinia;

dell'Italia Centrale manifestarono la loro volontà di formare un popolo solo con gli antichi sudditi di Re Vittorio Emanuele.

Si convenne poi espressamente che una Commissione Mista avrebbe fissato i nuovi confini fra i due paesi, tenendo conto delle necessità reciproche della difesa e della configurazione delle montagne. Questa Commissione, che dovrà pur recarsi sui luoghi, non ha ancora compiuti i lavori che gli furono affidati. Il riferente è però lieto di recare a notizia della camera che, giusta gli accordi già tenuti col Governo Francese, il nostro stato rimarrà in possesso del corso superiore della Roia, della Tinea e della Vesubia, come pure degli altipiani del grande e del piccolo Cenisio, ora parte della provincia della Morinana.

. . . . .

La necessità urgente di por fine ad uno stato d'incertezza che non era senza pericoli per l'ordine pubblico fece si che si dovesse procedere alle votazioni nella Savoia e nel circondario di Nizza prima che il Trattato potesse essere sottomesso al Parlamento, del quale però fu espressamente riservata l'approvazione. Ma, essendosi adottata appunto quella forma larghissima di votazione che fu adoperata testè nell'Emilia e nella Toscana, non parve inopportuno che il voto del Parlamento fosse preceduto da questa solenne inchiesta intorno alla volontà delle popolazioni.

Rimane ora che il Parlamento con-

That a Mixed Commission should mark out the new frontier, reciprocally taking into consideration the necessities of defence and the configuration of the mountains. Its labours are not yet ended, but we shall remain in possession of the Upper Roia, of the Tinea, and Vesubia, and of the plateaux of the great and little Mont Cenis, now part of the province of Maurienne.

. . . . .

The necessity of bringing to an end a state of uncertainty which might become dangerous, caused us to take the votes of Nice and Savoy before consulting Parliament, whose consent, however, was especially stipulated for.

It now remains for you either to

sacri o respinga col suo voto questa importante stipulazione. Nel sottoporre questo grave argomento alle vostre deliberazioni, il riferente si limita ad osservare che, se ogni cessione di territorio è sempre doloroso, essa lo è assai meno quando non è il risultato d'umilianti sconfitte, ma la consequenza d'una guerra gloriosa; non è una concessione ad un vittorioso nemico, ma un attestato solenne della gratitudine d'un popolo risorto verso il suo generoso alleato.

accept or reject the Treaty. In submitting it to you I shall limit my remarks to this one, that if a cession of territory is always painful, this one is less so than usual, being not the result of humiliating defeat, but the consequence of a glorious war; not a concession to a victorious enemy, but a solemn testimonial of gratitude to a generous ally.

### *Extract from Discussion Regarding the Votes of Savoy and Nice. Italian Chamber of Deputies. May* 25, 1860[1]

Guerrazzi. . . . L'obbligo assunto in virtù della profferta o del facile consenso alla cessione di Savoia e Nizza, dopo tutto questo impose la necessità di destreggiarsi in guisa che il voto non uscisse contrario al negozio conchiuso. Sarebbe adesso tempo opportuno di esporre le arti onde si ottenne cotesto voto; io non lo farò: parmi questo tale sentiero dove il decoro mi persuade a passare presto e in punta di piede per tema di lordarmi il calzare. Solo dirò come un Lubonis fosse eletto governatore temporaneo a Nizza durante la votazione; dirò com'egli adoperasse ogni via abusando del magistrato per corrompere le

Guerrazzi. . . . The obligation assumed in virtue of the offer or of the easy consent to the cession of Savoy and Nice after all this, imposed the necessity of managing so that the vote would not result contrary to the pact entered into. It might now be timely to expose the arts by which that vote was obtained; I shall not do so: this seems to me a place where decorum persuades me to pass quickly and on tiptoe for fear of besmirching my shoes. I shall but say how one Lubonis was appointed temporary governor at Nice during the voting; I shall say how he used every means of abusing the magistrature to corrupt

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[1] *Atti del Parlamento Italiano,* 1860, Camera dei Deputati, May 25, p. 297 *et seq.* The discussion occupied the sessions of May 25, 26, and 27, and covers many pages. Only those passages illustrating the attitude of the opposition and the defense of Cavour regarding the nationality of Savoy and Nice and the freedom of the vote are given here. The passages containing the attack on the grounds of unconstitutionality and loss of military strength are omitted.

menti; dirò come giungesse perfino a dare una smentita alle parole del Re; imperciocchè, mentre questi bandiva libero il voto e confortava il popolo a fare uso senza ritegno di questa sua facoltà, egli dichiarava, il popolo avrebbe fatto cosa contraria alla volontà del Re depositando nell'urna un voto contro la separazione di Nizza dall' Italia. Rincrebbe il contegno del Lubonis, troppo più dolse la temerarietà di offendere la regia parola: contro di lui questa aula suonò già di meritate querele, alle quali rispondendo l'onorevole presidente del Consiglio dei ministri promise gli avrebbe fatto una lavata di capo delle solenni (*Ilarità*); no, signori, questo non è caso di ramanzine.

Il Lubonis era suddito del Re allora, e dovrebbe esserlo anche adesso: il Lubonis era nostro magistrato allora, e dovrebbe esserlo anco adesso; nostra era, e tuttavia dovrebbe esserlo Nizza: però le azioni del Lubonis dovevano estimarsi tradimento, e quindi non garrirlo, bensì arrestarlo, accusarlo, punirlo; altrimenti taluno potrebbe sospettare che il goffo servitore col soverchio zelo mise a mal partito il padrone, che in palese lo rampogna, in segreto lo ricompensa raddoppiandogli la mancia. (*Ilarità.*)

Ancora, il vescovo del voto contrario all'Italia fece quasi caso di coscienza. Che cosa mai non ardiscono i vescovi? (*Si ride.*) Il Ministero avrebbe dovuto sottoporlo a censura; ad ogni modo, con pubblico

opinion; I shall say how he even went so far as to belie the words of the King; for, while the latter announced a free vote and exhorted the people to use this faculty without restraint, he declared that the people would act contrary to the will of the King by placing in the urn a vote against the separation of Nice from Italy. The attitude of Lubonis offended, much more did his temerity in acting counter to the royal word: against him this hall has already resounded with deserved complaints, answering which the Honorable President of the Council of Ministers promised that he would give him a solemn dressing-down (*Hilarity*); no, gentlemen, this is not a matter for rebuke.

Lubonis was then a subject of the King, and ought to be it even now. Lubonis was then our magistrate and should be it even now; Nice was ours and ought to be ours now; but the actions of Lubonis should have been considered treason and hence he ought not to have been rebuked but arrested, indicted, punished; otherwise one might suspect that the foolish servant with excessive zeal betrayed the master who openly scolds him, secretly rewards him by doubling the tip. (*Hilarity.*)

The bishop, also, almost made a case of conscience of the vote against Italy. What do Archbishops not dare! (*Laughter.*) It was the duty of the Ministry to censure him; at all events to disavow his words by public

bando e pei diarii ufficiali smentire le sue parole; smentire quelle del Lubonis, assicurare le menti incerte, confermare la fede dei popoli esitanti, mantenere l'autorità alle parole regie. Tutto questo fece almeno il Ministero? No, o signori, non fece nulla, non poteva più farlo, e oggi egli viene a cantare di necessità.

E tanto hasterebbe sul voto di Nizza, perchè, domando io, con popoli religiosissimi e fedelissimi può egli adoperarsi violenza maggiore della tema di offendere Dio e di offendere il Re? Ma poichè volle fortuna che nella trama delle vicende umane qualche filo di burlesco ci abbia ad entrare sempre, ecco che nella votazione di Nizza venne ad incastrarvisi anco il miracolo: quello della moltiplicazione dei voti. (*Ilarità.*) E valga il vero: a Lavenzo gl'iscritti a votare sommarono a 407, i voti furono 481: dunque 74 voti più dei votanti. Certo l'antica moltiplicazione dei pani e dei pesci fu più copiosa assai: Tuttavolta anco questa ritiene del miracolo. (*Ilarità prolungata.*)

Ma che importa insistere su lo strazio della legalità menato in cotesta votazione, se lo stesso Ministero per l'organo dell'egregio ministro dell' istruzione pubblica lo confessava? . . .

### TORNATA DEL 26 MAGGIO 1860

. . . . .

Rattazzi. (*Movimento generale di attenzione.*) Sorgendo per far censura del trattato sottoposto alle nostre deliberazioni, non posso nè

proclamation and through the official journals; to disavow those of Lubonis, reassure the uncertain ones, strengthen the faith of the hesitating, maintain the authority of the royal words. Did the Ministry do this at the least? No, Gentlemen, it did nothing, could no longer do anything, and to-day it comes and chants about necessity.

And that would be enough about the vote of Nice, for, I ask, can one with very religious and very faithful peoples use greater violence than the fear of offending God and the King? But, as fortune wills that in the woof of human vicissitude there should always enter some thread of the burlesque, behold in the voting of Nice appeared also the miracle: that of the multiplication of the votes. (*Hilarity.*) The truth is that at Lavenzo the registrations amounted to 407, the votes were 481; consequently 74 more votes than voters. Surely the old multiplication of the loaves and fishes was far more copious: yet even this partakes of the nature of a miracle. (*Prolonged hilarity.*)

But why insist on the illegality used in the conduct of this vote, if the very Ministry through the Honorable Minister of Public Instruction confesses it? . . .

### SESSION OF MAY 26, 1860

. . . . .

Rattazzi: (*General movement of attention.*) Rising to censure the treaty submitted to our deliberation, I neither can nor will dissemble how voglio dissimulare come sia dolente di dovere su questo argomento disapprovare la condotta del Ministero. . . . Io non posso approvare il trattato, mosso particolarmente dalla considerazione che il Ministero nell'accettarlo ha abbandonato quella politica che si era seguita fin qui, che aveva reso il Piemonte forte e potente; il principio della nazionalità italiana egli lo ha abbandonato per appoggiarsi sopra un altro interesse, voglio dire sul desiderio esclusivo dell'ingrandimento del regno. (*Movimento.*)

. . . Per me, o signori, la questione sulla nazionalità di Nizza è risolta dal voto [1] e dal fatto costante di quelle popolazioni pel corso di più secoli.

Quando i popoli sono liberi di darsi a chi meglio loro piaccia, essi, per naturale istinto, si portano necessariamente verso quella parte con cui hanno comune il principio della nazionalità. Ora sta di fatto che, or son cinque secoli, le popolazioni nizzarde, lasciate libere del loro voto, si diedero a questa parte d'Italia.

. . . . .

Io voglio supporre che realmente fossero sinceri e liberi i voti, che non si sia usata violenza a quelle popolazioni. Crede egli ad ogni modo il signor ministro che realmente fosse desiderio di quelle provincie di unirsi alla Francia?

PRESIDENTE DEL CONSIGLIO.[2] Si.

painful is the duty of disapproving the conduct of the Ministry on this point. . . . I can not approve the treaty, particularly as the Ministry, in accepting it, has abandoned that policy followed hitherto which had made Piedmont strong and powerful: it has abandoned that principle of Italian nationality to lean upon another interest, I mean the exclusive desire of increasing the Kingdom. (*Movement.*)

. . . For me, Gentlemen, the question of the nationality of Nice is solved by the vote and the fact established by those populations through the course of several centuries.

When the peoples are free to give themselves to whom they choose, they, by natural instinct, are carried necessarily to that section with which they have the principle of nationality in common. Now it is a fact that, five centuries ago, the people of Nice, being free to vote, gave themselves to that part of Italy.

. . . . .

I wish to suppose that the votes were truly sincere and free, that no violence was used on these populations. Does the Minister really believe that there was actually a desire of these provinces to unite with France?

PRESIDENT OF THE COUNCIL. Yes.

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[1] Of 1388.

[2] **Cavour.**

Rattazzi. Il signor presidente del Consiglio mi risponde di si, ed io soggiungo che egli è in errore grandissimo.

Egli è in errore, poichè quando a popolazioni, le quali erano tranquille, che mostravano in ogni loro atto la più grande abnegazione, che diedero costanti prove di fedeltà al Principe, che mostravano un caldissimo affetto verso le altri parti dello Stato a dell' Italia, quando, dico, a queste popolazioni, dopo i sacrifizi che fecero, dopo tanti anni di fratellanza e di unione, dite loro: noi siamo disposti a respingervi dal nostro consorzio, dal nostro seno per unirci ad altre parti d'Italia; credete voi che queste popolazioni, anche quando non avessero intenzione di separarsi, tuttavia indispettite non si darebbero ad un altro paese?

Questo, o signori, è il fatto avvenuto in Savoia e Nizza.

Il proclama dei governatori di Nizza e di Savoia è una solenne testimonianza di quello che affermo, poichè le parole che furono pronunciate da questi due funzionari pubblici suonavano ancora più dure ed amare al cuore de'Savoiardi e de'Nizzardi. Se dunque, poste a queste strette, abbandonate da noi, si diedero ad altro paese, credete voi che sia questa una prova sicura che tal fosse l'intendimento del loro cuore? Non lo credo.

Presidente del Consiglio. . . . Ora, signori, io ve lo dico con profonda convinzione, a mantenere le masse francesi favorevoli all'Italia era

Rattazzi: The President of the Council answers " yes," and I add that he is in great error.

He is in error because when a people who were tranquil, who showed in all their acts the greatest abnegation, who gave constant proof of fidelity to the Prince, who showed the warmest affection towards the other parts of the State and of Italy, when, I say, such a people, after the sacrifices made, after so many years of fraternity and of union say: " We are disposed to withdraw from our association, from our idea of union with the other parts of Italy "; do you believe that these people, when they had no thought of separating, would not be averse if they were to be joined to another country?

This, Gentlemen, is what has happened in Savoy and Nice.

The proclamation of the Governors of Nice and of Savoy is a solemn proof of what I affirm, because the words which were pronounced by these two public officials ring still more hard and bitter to the hearts of the people of Savoy and Nice. If, then, after this pressure, abandoned by us, they have given themselves to another country, do you believe that this is a dependable proof that such was the judgment of their hearts? I do not believe it.

President of the Council: . . . Now, Gentlemen, I tell you with profound conviction, the cession of Savoy and Nice was necessary to keep necessaria la cessione della Savoia e di Nizza. A torto od a ragione, io non lo voglio discutere, le masse francesi credevano e credono che le provincie ora accennate appartengano legittimamente alla Francia. Sarà un errore, se lo volete, ma che quest' opinione esista nelle masse francesi è un fatto che niuna persona, la quale conosca a fondo la Francia, potrà in buona fede negare.

. . . . . .

Gli onorevoli preopinanti, e specialmente l'onorevole deputato Rattazzi, hanno parlato della Savoia e di Nizza come se mai fosse stata messa avanti l'idea di riunire queste due provincie alla Francia: come se mai non vi fossero state in Savoia ed in Nizza aspirazioni francesi; come se in quelle due provincie non vi fosse mai stato un partito francese.

Veramente io non posso capire come seriamente si venga a sostenere che in Savoia non vi fosse un partito che desiderava la riunione alla Francia. Ma, o signori, noi abbiamo avuto nel nostro seno per molti anni un gran numero di deputati della Savoia, i quali, a malgrado del prestato giuramento, mal celavano il loro desiderio di vedere la loro patria riunita alla Francia. A me pare che in più circostanze essi ve lo abbiano schiettamente palesato. Ciò può farvi stupore; ma, o signori, se badate alle relazioni commerciali, se badate alla comunanza della lingua e alla facilità delle communicazioni, non potete disconoscere che vi erano delle forze prepotenti che spingevano la Savoia verso la Francia.

the French masses favorable to Italy. Rightly or wrongly, I will not discuss this point, the French masses believed and believe that the provinces referred to legitimately belong to France. It may be an error, if you will, but no one who knows France well can in good faith deny that this opinion prevails among the French masses.

. . . . . .

The honorable speakers, particularly the honorable Deputy Rattazzi, have spoken of Savoy and Nice as though it had never been proposed to unite these two provinces with France; as though there had never been French aspirations in Savoy and in Nice; as though in those two provinces there had never been a French party.

Really I can not understand how one can seriously say there is not a party in Savoy which desires union with France. Why, Gentlemen, we have had with us for many years, many deputies from Savoy who, despite their oath, ill hid their desire of seeing their country united with France. I think that they have clearly manifested that to you at several times. This may amaze you: but, Gentlemen, if you think of the commercial relations, the community of speech and the facility of communication you must acknowledge that there were very strong forces driving Savoy toward France.

La Savoia intellettualmente vive della letteratura francese; avreste dura fatica a trovare in Chambéry od in Annecy un giornale italiano; voi non trovate dai librai altro che libri francesi; e se vi fosse accaduto, come accadde a me qualche volta, di assistere alle partenze dei convogli delle strade di ferro dalla stazione di Chambéry, voi avreste visto che in quelli diretti verso la Francia partiva immenso numero di viaggiatori, laddove in quelli verso l'Italia ve n'era solo uno scarso numero, fatto scarissimo quando si giungeva a S. Giovanni di Moriana.

. . . . . .

Rattazzi. Non ho parlato della Savoia, ma di Nizza.

Presidente del Consiglio. Verrò poi anche a parlare di Nizza.

Ora, se il partito francese che esisteva in Savoia si mantenne pel passato nei limiti di un'opposizione più o meno legale, che però si spingeva spesso ai limiti estremi della legalità, questo partito, fatto più ardito dalle domande del Governo francese, eccitato dalla voce potente della stampa francese, si sarebbe in ora più vivamente e più energicamente spiegato e radicato; e credete voi che sarebbe stato facilmente governabile? . . .

. . . . . .

L'onorevole deputato Rattazzi m'interrompeva dicendo: lasciamo stare la Savoia, passiamo a Nizza. Io credo che l'onorevole preopinante abbia quasi sempre confuso o almeno riunite nel suo discorso Nizza e Savoia, e non fece distinzione se non sulla

Savoy, intellectually, lives upon French literature; you would hardly find in Chambéry or in Annecy an Italian paper, you find no other books than French at the book sellers; and if it had happened to you as it did to me sometimes to be present at the departure of the trains from Chambéry station, you would have seen that in those going toward France there were a great number of travellers while in those toward Italy there were only a small number, which became very small when arriving at San Giovanni di Moriana.

. . . . . .

Rattazzi: I have not spoken of Savoy but of Nice.

President of the Council: I shall speak of Nice also.

Now if the French party remained in the past within the limits of a more or less legal opposition which, however, often touched the extreme limits of legality, this party, emboldened by the demand of the French government, excited by the powerful voice of the French press, would have grown more lively and more energetic, and do you believe that it would have been easily governable? . . .

. . . . . .

The honorable Deputy Rattazzi interrupted me by saying let us leave Savoy and pass to Nice. I believe that the honorable speaker has almost always confused or at least joined in his speech Nice and Savoy and distinguished only on the point of national-questione di nazionalità. Nessuno avendo contestato la nazionalità della Savoia, non ne ho fatto cenno.

Ora vengo alla questione di Nizza. L'onorevole deputato Rattazzi ha detto che Nizza era incontestabilmente una provincia italiana, e per dimostrarlo, lasciando da parte gli argomenti etnografici e quelli geografici, ne mise in campo un solo, e disse che credeva che Nizza fosse italiana, perchè in una data circostanza Nizza, libera di sè, si era data all'Italia.

. . . . .

Ma che cosa fecero i Nicesi? Dichiararono essi di voler diventare Italiani? Dichiararono almeno di volersi riunire sotto la corona di un principe italiano? Ma no, signori, chè in allora, è forza il dirlo, la Casa di Savoia non era ancora fatta italiana. . . .

Ma, si dice: Nizza è italiana, ed a prova di ciò si adduce un argomento di cui non disconosco il valore. Si dice: Nizza ha dato molti cittadini illustri, devoti, eroicamente devoti alla causa d'Italia.

Questo io non contesto, anzi altamente lo riconosco, lo riconosco specialmente a gloria di questi individui, i quali pare che abbiano voluto far persuaso il rimanente d'Italia della nazionalità della loro patria, compensando collo zelo, colla devozione, coll' eroismo al difetto d'italianità. Nizza ha prodotto molti Italiani, ma Nizza non è italiana. . . .

Ma, o signori, qual è l'indizio più forte della nazionalità di una popolazione? Egli è la lingua. Or bene, la lingua che si parla a Nizza non ha che

ity. No one having disputed the nationality of Savoy, I have not alluded to it.

I turn to the question of Nice. The honorable Deputy Rattazzi has said that Nice was incontestably an Italian province, and to demonstrate it, leaving aside the ethnographic and geographic arguments, put forth one only and says that he believes Nice was Italian because in a given circumstance Nice of her own accord gave herself to Italy.

. . . . .

But what did the people of Nice do? Did they say that they wished to become Italian? Did they even say that they wished to unite under the crown of an Italian prince? No, Gentlemen, . . . the House of Savoy was not yet become Italian. . . .

But they say that Nice is Italian and by way of proof whose value I admit, they say that Nice has given many famous, heroically devoted citizens to Italy's cause.

This I do not dispute, rather I loudly recognize it, I recognize it especially in honor of those individuals, who, it seems, have wanted to persuade the rest of Italy of the nationality of their country, compensating with zeal, devotion and heroism, for the lack of being Italian. Nice has produced many Italians, but Nice is not Italian. . . .

But, Gentlemen, what is the strongest indication of the nationality of a people? The language. Now, the language spoken at Nice has only a lontanissima analogia colla lingua italiana, ed è identica a quella che si parla a Marsiglia, a Tolone, a Grasse.[1] . . .

Ma mi si dice: il voto non è stato libero, non solo non ha nessuna autorità, ma ha una autorità contraria, prova il contrario di ciò che esprime.

Mi pare l'argomento un po'strano. Ma poichè parlo di voto, debbo spiegarvi, o signori, come dopo avere stabilito che il suffragio dovesse esser regolato dalla Camera, il Governo abbia consentito poi che esso precedesse la deliberazione del Parlamento.

Quando si discusse il trattato, il Governo propose il voto universale. Questa idea non venne immediatamente accolta dal Governo francese, ed in allora si venne a quella proposta di farlo regolare dal Parlamento. Ma quando il Governo francese si decise risolutamente ad accettare il voto universale, ed accettarlo sulle basi e dietro le norme state applicate nell'Italia centrale, in verità noi abbiamo creduto che non si potesse respingere una proposta ragionevole.

Ma, mi si dice: a Nizza il voto fu carpito, vi fu coazione morale, vi fu un proclama del governatore, vi furono agenti spediti in tutti i comuni.

Io ho già manifestata la mia opinione sul proclama del governatore;

distant similarity to Italian and is identical to that spoken at Marseilles, Toulon and Grasse. . . .

But they tell me that the vote has not been free. Not only has it no authority, but, a contrary authority, it proves the contrary of what it expresses.

The argument seems a little strange to me. But since I am speaking of the vote I must explain, gentlemen, how, after having established that the voting must be regulated by the Chamber, the government then consented that it precede the deliberation of Parliament.

When the treaty was discussed, the government proposed a universal vote. The idea was not immediately accepted by the French government and then that proposal was reached of having it regulated by Parliament. But when the French government decided to accept the universal vote, and accept it on the basis and in the form applied in Central Italy, we truly believed that a reasonable proposal could not be rejected.

But they tell me that in Nice the vote was stolen, there was moral coercion, there was a proclamation of the governor, agents were sent to all the communes.

I have already stated my opinion on the proclamation of the governor;

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[1] Cavour wrote to General Alessandro de Saint-Pierre, director general in the Ministry of War, some months later "Comme Niçois vous avez le droit de me garder rancune pour ma péroraison en faveur du traité que j'avais signé, mais à présent je puis vous dire que j'ai parlé contre ma conviction par necessité." Chiala, *Lettere,* IV, p. CCXXII.

ma quello che non vi ho detto, e che ora credo di poter dire, è che lo zelo poco abile di certi agenti, i quali credettero di fare la loro corte alla Francia, lungi dal rendere più facile l'unione, la rese più difficile. Io credo che l'unione alla Francia avrebbe in Nizza incontrate molto minori difficolta, avrebbe suscitato molto minori opposizioni, senza il troppo zelo degli agenti francesi.

Ma io posso assicurarvi che le operazioni procedettero con regolarità. In tutti i comuni lo squittinio fu presieduto dal sindaco e da quattro primi consiglieri o aggiunti comunali. Ora i sindaci erano stati nominati molto prima del trattato del 24 marzo, e gli aggiunti erano stati eletti dal libero suffragio dei loro concittadini. Del resto, se avessi bisogno di una testimonianza del come le cose sono passate, potrei invocare quella dell'onorevole deputato Niel, che è stato presente alle operazioni del voto. . .

Mellana. Ed ai pranzi. (*Si ride.*)

Presidente del Consiglio. Che gli agenti francesi abbiano cercato di porre in luce i vantaggi dell'unione alla Francia, io non lo nego; che avessero molti argomenti a far valere, pur troppo è vero. Essi potevano dire ai parroci: ponete mente che voi in queste povere contrade non ricevete dal Governo e dall'economato se non cinque o seicento franchi; se passate sotto la Francia, il vostro stipendio sarà elevato a mille, mille e duecento e mille cinquecento lire; e pur troppo

but what I have not told you and what I now believe I can say, is that the awkward zeal of certain agents, who thought they were pleasing France, far from making the union easier, made it more difficult. I believe that the union with France would have met with much less difficulty, would have aroused much less opposition, without the excessive zeal of the French agents.

But I can assure you that the operations proceeded regularly, in all the communes the voting was presided over by the syndic and four first councillors or communal adjuncts. Now the syndics had been appointed long before the treaty of March 24, and the adjuncts had been elected by the free vote of their fellow citizens. Moreover, if I needed testimony of how the matter has passed, I could invoke that of the honorable deputy who was present at the voting. . . .

Mellana. And at the dinners. (*Laughter.*)

President of the Council: I do not deny that the French agents have tried to set forth the advantages of union with France; that they had many arguments to use is only too true. They could say to the priests: "Remember that in these poor districts you receive from the Government and the treasury only 500 or 600 francs; if you become French, your stipend will be raised to 1000, 1200 and 1500 lire;" and this argument was only too strong without the questo argomento aveva molto valore senza che fosse necessaria la circolare del vescovo per darci forza.

Agli istitutori primari nelle mentagne dicevano: non ricevete che 200, 250 o 300 franchi; la legge in Francia stabilisce che il minimo dello stipendo degli istitutori primari si è di lire 600; ed ecco una seconda categoria degli apostoli ferventi della riunione alla Francia.

Lo stesso argomento facevano valere presso le institutrici femminili.

Finalmente voi non ignorate che una gran parte di operai, una gran parte della classe povera della contea di Nizza emigra tutti gli anni per andar a cercar lavoro nelle città della Provenza. A questi dicevano: d'ora in avanti non avrete più bisogno della formalità del passaporto, voi farete l'economia di quelle lire che dovete pagare al fisco, non avrete più l'incomodo di recarvi dal intendente o dal governatore per farvelo rilasciare; pur troppo questi argomenti avevano molto valore; certamente li avranno di molto esagerati, avranno a benefizi reali aggiunti benefizi immaginari; ma, o signori, potete voi citarmi delle elezioni popolari generali, dove i partiti non facciano uso di esagerazioni, dove non pongano in campo promesse che sanno di non poter sempre mantenere, che non muovano contro i loro avversari delle accuse sicuramente esagerate? E se vi facessi la storia delle elezioni americane vi potrei accennare dei mezzi di coazione ben altrimenti potenti di quelli adoperati a Nizza,

need of the circular of the archbishop to reinforce it.

To the primary teachers in the mountains they said: "You receive but 200, 250 or 300 francs; the law in France says that the minimum pay of the primary teachers is 600 lire"; and there you have a second class of fervent apostles for union with France.

They used the same argument with the female teachers.

Finally, you know that many laborers, many of the poor class of the county of Nice emigrates every year to seek work in the towns of Provence. To these they said: "Henceforth you will no more need the formality of a passport, you will save the lire that you must pay to the State, you will no longer be inconvenienced about going to the intendant or governor to get one"; these arguments had only too great a force; certainly they will have exaggerated them considerably, they must have added imaginary benefits to real ones; but, Gentlemen, can you cite any general popular elections, where the parties do not use exaggerations, where they do not hold out promises that they know they can not always keep, where they do not bring against their opponents charges that are surely exaggerated? And if I told you the story of the American elections, I could tell you means of coercion much more powerful than those used at Nice, for the parties at times use not only the intellectual ar-poichè i partiti talvolta non solo adoperano gli argomenti intellettuali, ma hanno ricorso agli argomenti dedotti dalla forza materiale. (*Risa.*)

E nelle elezioni inglesi i partiti non si lanciano a vicenda le più gravi accuse? E presso noi questi fatti non si riproducono?

. . . . .

Tutti i popoli liberi sono sottoposti a queste anomalie, a queste esagerazioni, a questi inconvenienti.

Io voglio ammettere che a Nizza se ne sia fatto un uso più largo che non d'ordinario; ma volete voi credere che questi mezzi un po'eccessivi avessero avuto tanta autorità da produrre la quasi unanimità in favore della riunione alla Francia, se il sentimento delle popolazioni, se i suoi interessi non le avessero portate verso la Francia? . . .

E finalmente, se vi fu coazione per parte degli agenti francesi a Nizza sulle popolazioni, non vi fu certo coazione sui nostri soldati i quali si trovavano divisi in tutti i corpi dell'esercito; poichè voi ben sapete che non esiste brigata speciale nicese. Ebbene fra i soldati nicesi la votazione ebbe luogo con tutta libertà; che anzi, se vi fu pressione, essa fu piuttosto nel senso contrario, essendo italiana la magioranza dei loro colleghi: eppure l'unanimatà si produsse nei loro voti. Però io non voglio dar a ciò troppa importanza; so che presso i soldati si è anche fatto valere l'argomento che in Francia la ferma è solo di sette anni, mentre da noi è di un-

guments, but resort to those deduced from material force. (*Laughter.*)

And in the English elections, do not the parties hurl against each other the most serious charges? And have these facts not been reproduced with us?

. . . . .

All free peoples are subjected to these anomalies, to these exaggerations, to these inconveniences.

I will admit that at Nice a wider use than usual was made, but will you believe that these somewhat excessive means would have had an effect of producing a *quasi* unanimity in favor of union with France, if the sentiments of the people, if their interest had not carried them toward France? . . .

And, finally, if there was coercion of the people on the part of the French agents at Nice, there certainly was no coercion of our soldiers, who were scattered in all the army corps; for you know well that there is no special Nice brigade. Well, among the soldiers from Nice the vote took place with entire freedom; even if there was pressure, it was rather in the contrary sense, the majority of their comrades being Italian: yet the vote was unanimous. But I do not wish to give too much weight to that; I know that with the soldiers one has also used the argument that in France the enlistment is only for seven years, with us eleven, and that this argu-

dici, e che quest'argomento ha potuto avere molta influenza sull'animo loro; ma tuttavia, se fossero stati soldati italiani, avrebbero preferito rimanere 11 anni sotto le armi che vedere la loro ferma finire dopo 7 anni a costo della propria nazionalità.

Con questo, o signori, io penso di aver adempiuto alla parte più importante del mio assunto, di avervi dimostrato che, se il trattato ci impone dolorosissimi sacrifizi, se ci priva di due nobilissime provincie che furono e potevano ancora esserci larghe di aiuti in armi e denari, noi non abbiamo certo violato il principio di nazionalità, quel principio sul quale riposa, lo dico altamente, la nostra politica. Se io avessi creduto che colla cessione di Nizza quel sacrosanto principio fosse stato leso, io, lo dichiaro altamente, avrei diviso tutte le opinioni che intorno ad essa l'onorevole Rattazzi ha manifestate.

ment may have had a strong influence upon them; but, if they had been Italian soldiers they would have preferred remaining eleven years with the colors to seeing their enlistment end after seven years, at the expense of their own nationality.

With this, gentlemen, I think that I have fulfilled the most important part of my task, that of showing that if the treaty imposes very painful sacrifices, deprives us of two most noble provinces, which have aided and may still aid us considerably in arms and money, we have certainly not violated the principle of nationality, that principle on which, I say it emphatically, our policy is based. If I had thought that this transfer of Nice were a violation of such a sacrosanct principle I would openly declare I should have agreed to all the opinions expressed in regard thereto by the honorable Rattazzi.

### *Statement of the Position of Great Britain Regarding the Vote* [1]

Lord J. Russell to Earl Cowley

*Foreign Office, May* 15, 1860.

My Lord,

After the communications which have passed with various Courts of Europe, on the subject of the neutralized districts of Savoy, Her Majesty's Government think the time is come to define and fix the position they mean to assume on this question.

The Treaty of Vienna, and the Act of Guarantee of Switzerland of the 20th of November, 1815, provide that, in case of war between neighboring Powers, certain parts of Savoy, namely, the districts of Chablais, Faucigny, and part of the Genevois, shall be comprised within the neutrality of Switzerland, and that no troops other than those of the Confederation shall occupy that territory so long as the war shall last.

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[1] *British Parliamentary Papers,* 1860, Vol. 67, Affairs of Italy [2702], p. 248.

Her Majesty's Government consider that this provision was made no less in the interest of Switzerland and of Europe, than in that of Sardinia.

The documents in their possession, the records of Geneva, and the correspondence of M. Pictet de Rochemont lately published, appear to them amply to bear out this position.

It appears to them that if France and Sardinia were desirous of making a Treaty by which the sovereignty of Savoy should be transferred to France, it was the duty of Sardinia to confer with the Powers who signed the Treaty of Vienna before completing the cession of territory of which she was not merely the Sovereign, but of which she held the deposit for purposes of Swiss independence and European security.

It appeared to Her Majesty's Government that if this was not done by Sardinia, it ought to have been done by France before French troops should occupy Savoy. But if neither of these were done, it seemed clear to Her Majesty's Government that the defect could only be cured by the offer, on the part of France, of such ample guarantees as should be an efficient substitute for the security which the provisions of Article XCII of the Treaty of Vienna gave to Switzerland, in consequence of Savoy forming part of the dominions of the King of Sardinia.

Her Majesty's Government are of opinion that an undertaking by France to fulfil in time of war the obligations of Sardinia in respect to the neutralized parts of Savoy, forms no such efficient substitute.

Her Majesty's Government are likewise of opinion that the arrangements hitherto suggested by the Government of France form no such efficient substitute.

Her Majesty's Government do not see any other efficient substitute which could be found, but one, which giving a military frontier to Switzerland, should comprise the southern shore of the Lake of Geneva, and the Alpine passes to the Valais.

To such a cession the French Government have declared they will not consent.

The argument upon which this refusal is founded is the vote of the people of Faucigny, Chablais, and the Genevois. But the mode in which this vote was taken deprives it, in the eyes of Her Majesty's Government, of all authority. Had the population been asked whether they would remain under the House of Savoy, or prefer to become subjects of the Emperor of the French, the answer might have been doubtful. But when the King of Sardinia had already absolved them from their allegiance, discarded them as his subjects, and ceded them by Treaty, the only question which remained was between

France and anarchy. No alternative was offered, and no real choice could take place.

Her Majesty's Government omit all argument as to the propriety of a vote by universal suffrage for the purpose of confirming a Treaty. It is the first instance of such a proceeding, and the circumstances have not been such as to encourage a repetition of it.

The question remains, what is to be done?

Her Majesty's Government are not of opinion that Switzerland, even if she had the means, would have the right to resist the occupation of the neutralized parts of Savoy by the French civil and military authorities.

But Her Majesty's Government must decline to take any step which may confer any additional validity on the Treaty of Turin of the 24th of March. In their opinion, that Treaty weakens Switzerland, and diminishes one of the securities of Europe for the maintenance of Swiss neutrality.

If a Conference of the European Powers is summoned, your Excellency will attend it on the part of Great Britain. But in the Conference your Excellency will hold no other language than that which is contained in this and my former despatches.

If the Conference should not be envoked, Her Majesty's Government will instruct you further; and in that case you will inform me of the reasons for which the Government of France declines to summon a meeting of the Great Powers, which the Federal Council of Switzerland has so constantly demanded.

You will, of course, fully understand that nothing is changed in that part of the Treaty of Vienna which binds the Powers who were Parties to it to maintain the neutrality of Switzerland.

I am, &c.,
(Signed) J. Russell.

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## *Report Made to the Emperor by the Minister for Foreign Affairs, Regarding the Treaty of Turin. June* 11, 1860[1]

| | |
|---|---|
| Sire, | Sire, |
| J'ai l'honneur de soumettre à V. M. le décret de promulgation du Traité signé à Turin le 24 mars dernier, et en vertu duquel S. M. le Roi Victor-Emmanuel, en transférant à l'Em- | I have the honor to submit to Your Majesty the decree promulgating the treaty signed at Turin on the 24th of March last, in virtue of which His Majesty King Victor Emanuel, |

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[1] De Clercq, *Recueil*, vol. 8, p. 32.

pereur tous ses droits et titres sur la Savoie et l'arrondissement de Nice, a consenti à la réunion de ces deux pays au territoire de la France.

Le parlement sarde vient de sanctionner par un vote solennel la cession opérée d'abord par le Souverain, et ratifiée ensuite par le vœu des populations destinées a devenir françaises. Jamais la légitimité d'une transaction internationale ne fut plus solidement établie.

L'accomplissement régulier et successif de cet ensemble de conditions, rapproché de l'exposé préalablement soumis aux cours signataires de l'acte général de Vienne pour leur faire apprécier les motifs qui ont déterminé M. le Roi de Sardaigne, fait ressortir la demande adressée par V. M. à S. le caractère entièremement exceptionnel de la nouvelle acquisition de la France.

Ce n'est pas une pensée d'ambition qui a dirigé la politique impériale; c'est un sentiment de prévoyance. V. M. n'a pas poursuivi une conquête: elle a cherché une garantie. Ce n'est pas à la force qu'elle a eu recours pour se l'assurer, c'est de l'amitié et de la reconnaissance d'un souverain qu'elle l'a obtenue; et la valeur de cette garantie est doublée par l'élan spontané et unanime des populations qui en seront désormais les gardiennes.

V. M. et la France, Sire, peuvent être fières d'un succès, qui ajoute à

in transferring to the Emperor all his rights and titles to Savoy and the district of Nice, has consented to the union of these two countries to the territory of France.

The Sardinian parliament has just sanctioned by a solemn vote the cession previously made by the sovereign, and afterwards ratified by the vote of the populations destined to become French. Never has the legitimacy of an international transaction been more solidly established.

The regular and successive accomplishment of this combination of conditions, added to the statement previously submitted to the courts signatory to the general act of Vienna, for the purpose of making clear to them the motives which determined the demand addressed by Your Majesty to His Majesty the King of Sardinia, shows the entirely exceptional character of the new acquisition of France.

It is no thought of ambition which has directed the imperial policy, it is a sense of foresight. Your Majesty has not pursued a conquest: you have sought a guarantee. You have not had recourse to force in order to assure yourself of it, but you have obtained it from the friendship and gratitude of a sovereign; and the value of this guarantee is doubled by the spontaneous and unanimous enthusiasm of the populations who will henceforth be its guardians.

Your Majesty and France, Sire, may be proud of a success which adds leur prestige moral sans qu'il en résulte pour aucune puissance la lésion d'un intérêt légitime ou un sacrifice d'amour-propre. En effet, par l'article 2 du Traité de Turin, les conditions spéciales dont l'Europe, à la demande de la Sardaigne, a entouré la possession d'une partie de la Savoie sont maintenues, et notre loyauté nous impose le devoir de les respecter à l'égal de la neutralité de la Suisse, en attendant qu'une prochaine entente avec les cours signataires de l'acte général de Vienne et avec la Confédération helvétique elle-même ait arrêté le réglement définitif de cette question.

Que V. M. veuille donc revêtir de sa signature le décret ci-joint, qui forme une belle page de l'histoire d'un règne déjà si fécond en prospérités.

Je suis avec respect, etc.

Thouvenel.

Paris, le 11 juin 1860.

to their moral prestige without the injury of legitimate interest or the sacrifice of pride for any power, as a result. In fact, by article 2 of the Treaty of Turin, the special conditions by which Europe, at the request of Sardinia, surrounded the possession of a part of Savoy, are maintained, and our loyalty imposes on us the duty of respecting them equally with the neutrality of Switzerland, while expecting that an approaching agreement with the courts signatory to the general act of Vienna and with the Swiss Confederation itself may have settled the definite regulation of this question.

May Your Majesty be pleased therefore to affix your signature to the accompanying decree, which forms a noble page of the history of a reign already so fruitful in prosperous events.

I am with respect, etc.,

Thouvenel.

Paris, June 11, 1860.

## *Senatus-Consulte Uniting Savoy and the District of Nice to France. June 12, 1860* [1]

Art. 1er. La Savoie et l'arrondissement de Nice font partie intégrante de l'Empire français.

La Constitution et les lois françaises y deviendront exécutoires à partir du 1er janvier 1861.

Art. 2. La répartition des terri-

Article 1. Savoy and the District of Nice form an integral part of the French Empire.

The Constitution and the laws of France shall become executory there on and after January 1, 1861.

Art. 2. The division of the ter-

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[1] Martens, *N. R. G.*, vol. 16, pt. 2, p. 542.

toires réunis à la France en ressorts de cours impériales et en départements sera établie par une loi.

Art. 3. Les diverses mesures relatives à l'assiette des lignes de douanes et toutes dispositions nécessaires pour l'introduction du régime français dans ces territoires pourront être réglées par décrets impériaux rendus avant le 1$^{er}$ janvier 1861. Ces décrets auront force de loi.

*Délibéré et voté en séance, au palais du Sénat, le* 12 *juin* 1860.

*Le président,*
Troplong.

ritory annexed to France into circuits of the Imperial Courts and into departments shall be established by law.

Art. 3. The diverse measures relating to the rate of the customs tariffs and all arrangements necessary for the introduction of the government of France into these territories shall be regulated by imperial decrees rendered before January 1, 1861. These decrees shall have the force of law.

*Deliberated and voted in session at the palace of the Senate on June* 12, 1860.

*President,*
Troplong.

## Sicily and Naples, 1860

### *Garibaldi Assumes the Dictatorship of Sicily, May* 14, 1860 [1]

#### ITALÍA E VITTORIO EMMANUELE

Giuseppe Garibaldi, comandante in capo le forze nazionali in Sicilia;

Sull'invito di notabili cittadini e sulle deliberazioni dei comuni liberi dell'Isola;

Considerando che in tempo di guerra è necessario che i poteri civili e militari sieno concentrati in un solo uomo,

DECRETA:

di assumere nel nome di Vittorio

#### ITALY AND VICTOR EMANUEL

I, Giuseppe Garibaldi, commander in chief of the national forces in Sicily;

Upon the invitation of noted citizens and upon the deliberations of the free communes of the Island,

Considering that it is necessary in time of war that the civil and military powers be concentrated in a single man,

DECREE:

that, in the name of Victor Eman-

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[1] *Le Assemblee,* vol. 15 (Sicilia vol. 4), p. 1009.

EMANUELE re d'Italia la Dittatura in Sicilia.

*Salemi,* 14 *maggio* 1860.

*Il Dittatore*

G. GARIBALDI.

UEL, King of Italy, I hereby assume the Dictatorship in Sicily.

*Salemi, May* 14, 1860.

*The Dictator*

G. GARIBALDI.

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## *The Sardinian Constitution is proclaimed the Fundamental Law of Sicily. August* 3, 1860 [1]

### ITALIA E VITTORIO EMMANUELE

**IL PRODITTATORE**

In virtù dell'autorità a lui delegata;

Udito il parere dei segretari di Stato;

Considerando che il voto espresso dai Siciliani nella gloriosa rivoluzione del 4 aprile col grido unanime degl' insorti, al quale unanime rispose quello di tutte le popolazioni dell'Isola, con la bandiera che levarono combattendo, con gl'indirizzi di tutti i comuni, fu ed è l'annessione al Regno italiano e costituzionale dello augusto Vittorio Emmanuele Re d'Italia;

Considerando che questo voto è conforme al dritto nazionale superiore ed eterno, che spinge i popoli di una stessa Nazione a costituirsi ad unità di Stato, e fu suggellato dal sangue degl'insorti e dei valorosi che, guidati dal generale Garibaldi, portarono vittoriosa e coprirono di nuovi allori la tricolore bandiera nella quale è impressa la Croce di Savoia;

### ITALY AND VICTOR EMANUEL

**THE PRO-DICTATOR**

By virtue of the authority delegated to him;

After hearing the opinion of the Secretaries of State;

Considering that the wish expressed by the Sicilians in the glorious revolution of April 4 with the unanimous cry of the insurgents, which was unanimously answered by the cry of all the inhabitants of the Island, with the banner which they carried while fighting and with the addresses of all the people, was and is for annexation to the Italian and constitutional Kingdom of the august Victor Emanuel, King of Italy;

Considering that this wish is in conformity with the superior and eternal national right, under which the peoples of the same Nation are impelled to organize themselves into a single State, and that it was sealed by the blood of the insurgents and the brave men who, under the leadership of General Garibaldi, carried to victory and covered with fresh laurels

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[1] *Le Assemblee,* vol. 15, p. 1020. A similar decree was promulgated by Garibaldi in Naples on September 14.

Che le altre provincie italiane e tutte le nazioni civili accolsero con plauso il programma *Italia e Vittorio Emmanuele,* e la bandiera della Rivoluzione Siciliana;

Considerando che se i poteri straordinari della Dittatura, intesi a consolidare l'ordine novello, e a conseguire il fine della Rivoluzione, non consentono per ora l'attuazione immediata della legge fondamentale della Monarchia italiana, è necessario tuttavia affrettarne la promulgazione perchè in essa legge s'informa tutto l'ordinamento delle nuove leggi, delle autorità e delle giurisdizioni, che sono, o che debbono entrare in vigore;

DECRETA:

Art. 1. Lo Statuto costituzionale del 4 marzo 1848 vigente nel Regno d'Italia, è la legge fondamentale della Sicilia.

Art. 2. Esso entrerà in vigore nelle diverse sue parti all'epoca che sarà designata con decreto dittatoriale.

Art. 3. Sarà pubblicato il detto Statuto insieme al presente decreto in ogni comune e nel *Giornale Officiale di Sicilia.*

Art. 4. Tutti i segretari di Stato sono incaricati della esecuzione del presente decreto.

*Palermo,* 3 *agosto* 1860.

*Il Prodittatore* Depretis.

*Il segretario di Stato dell'interno*

F. Crispi.

the tricolor banner on which is displayed the Cross of Savoy;

Considering that the other Italian provinces and all the civilized nations received with applause the program *Italy and Victor Emanuel* and the banner of the Sicilian Revolution;

And considering that, while the extraordinary powers of the Dictatorship, intended to firmly establish the new order of things and to consummate the purpose of the Revolution, do not permit, for the present, of the immediate enforcement of the fundamental law of the Italian Monarchy, it is nevertheless necessary to hasten the promulgation thereof for the reason that on this law is based the whole system of the new laws, authorities, and jurisdictions which are or are to be in force;

DECREES:

Article 1. The Constitution of March 4, 1848, in force in the Kingdom of Italy, is the fundamental law of Sicily.

Art. 2. It shall enter into force in its various parts at the time to be designated by dictatorial decree.

Art. 3. The said Constitution shall be published, together with the present decree, in every commune and in the *Official Gazette of Sicily.*

Art. 4. All the Secretaries of State are charged with the enforcement of the present decree.

*Palermo, August* 3, 1860.

*Pro-Dictator* Depretis,

*Secretary of the Interior*

F. Crispi.

## *Cavour presents to Parliament a Bill for Annexation by Royal Decree of those Provinces of Central and Southern Italy in which there shall be a Direct Popular Vote for Union. October 2,* 1860 [1]

### PARLAMENTO ITALIANO

CAMERA DEI DEPUTATI

*Seduta 2 ottobre* 1860.

Presentazione del progetto di legge per l'annessione delle provincie dell'Italia centrale e meridionale.

CAVOUR, *presidente del Consiglio dei ministri.* D'ordine di Sua Maestà io debbo presentare alla Camera un progetto di legge, stante l'importanza del quale io la pregherei di farmi facoltà di darle lettura della relazione che lo deve accompagnare. (*Vivi segni di attenzione.*)

. . . . .

All'aprirsi della Sessione attuale i rappresentanti di undici milioni d'italiani si adunavano intorno al Monarca da essi unanimemente acclamato. Ora, dopo trascorsi appena sei mesi, altri undici milioni d'italiani hanno infrante le loro catene, e sonosi fàtti arbitri di scegliere quel Governo ch'ei reputeranno più convenevole ai sentimenti ed agli interessi loro. (*Sensazione.*)

Il Ministero è al tutto alieno dall' attribuire unicamente a sè stesso il merito di sì mirabili eventi. Egli non disconosce, ma proclama invece altamente che al genio iniziatore dei

### PARLIAMENT OF ITALY

CHAMBER OF DEPUTIES

*Session of October 2,* 1860.

Presentation of the Bill for the Annexation of the Provinces of Central and Southern Italy.

CAVOUR, *president of the council of Ministers.* By order of His Majesty I am to present to the Chamber a bill in view of the importance of which I would beg you to allow me to read the report that is to accompany it. (*Lively signs of attention.*)

. . . . .

At the opening of the present session, the representatives of eleven million Italians united around the Monarch unanimously acclaimed by them. Now, after the lapse of scarcely six months, another eleven million Italians have broken their chains and acquired the right to choose such government as they deem most suitable to their sentiments and interests. (*Sensation.*)

The Ministry is far from attributing solely to itself the credit for such wonderful events. It is not unaware, but rather loudly proclaims the fact that it is to the initiating genius of

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[1] *Le Assemblee,* vol. 11, p. 660. The bill, after five days' debate, was passed by the Chamber on October 11, and by the Senate on October 16.

popoli è sovratutto da attribuire un così stupendo rivolgimento. A rispetto poi di Napoli e della Sicilia, esso è dovuto senza dubbio al concorso generoso dei volontari; e più che ad altra cagione, al magnanimo ardire dell'illustre loro capo, al generale Garibaldi. (*Vivissimi applausi dalla Camera e dalle tribune.*)

Il Ministero si ristringe pertanto a notare che questi memorandi casi furono conseguenza necessaria della politica già iniziata da Carlo Alberto, e proseguita per dodici anni dal Governo del Re. (*Segni d'approvazione.*) Certo, se tale politica fosse stata in disparto, ovvero se ne fossero mutati od alterati i principi direttivi, le cause surriferite sarebbero tornate impotenti a compiere la liberazione di tanta parte d'Italia.

Quindi, non per essergli subitamente mancata la fede nell'efficacia di tali principi, il Ministero stimò suo debito di far più sollecita dell'usato la riunione del Parlamento. A ciò lo indusse, in prima, la persuasione che le presenti emergenze, non prevedute nei giorni della votazione del prestito, imponevangli lo stretto obbligo di accertarsi che non gli sia venuto meno quel concorso efficace delle due Camere, dal quale emerge la maggiore delle forze governative. Egli pensò, inoltre, con una schietta esposizione dei propri intendimenti mettere i rappresentanti della nazione in grado di

the people that such a stupendous revulsion is above all to be attributed. With respect to Naples and Sicily, it is due without doubt to the generous cooperation of the volunteers; and, more than to any other cause, to the magnanimous daring of their illustrious chief, General Garibaldi. (*Very lively applause from the Chamber and from the galleries.*)

The Ministry therefore confines itself to noting that these memorable events were a necessary consequence of the policy already begun by Carlo Alberto and pursued for twelve years by the King's Government. (*Signs of approval.*) To be sure, if that policy had been neglected, or if its guiding principles had been changed or impaired, the causes referred to above would have become powerless to accomplish the liberation of so large a part of Italy.

Accordingly, not because it has suddenly lost faith in the efficacy of these principles, the Ministry deemed it to be its duty to hasten more than usual the convening of Parliament. It was induced to do this, firstly, by the conviction that the present emergencies, not foreseen during the days when the loan was being voted, imposed upon it the strict obligation to insure itself against the lack of the effective cooperation of the two Chambers from which arises the greatest of governmental forces. It thought, moreover, that by means of a frank statement of its own ideas it pronunziare solenne giudizio sul sistema politico da lui proseguito.

. . . . .

Signori, se la causa italiana si procacciò finalmente la simpatia universale d'Europa, se la mente delle nazioni più culte ed educate le si dimostra favorovole, ciò è specialmente da attribuirsi alla mirabile temperanza d'idee, alla compostezza dei modi serbati dalle varie provincie della penisola, tostochè riuscirono a liberarsi dal reggimento che lo straniero aveva loro imposto. Quelle provincie porsero la prova più solenne di quanto sia vera e profonda la civiltà del popolo italiano, sradicando immediatamente ogni germe di anarchia, ordinandosi senza indugio in conformità dei principi che prevalgono appo le nazioni più provette nell'esercizio della libertà manifestando infine la ferma volontà loro di uscire dal provvisorio e di veder istituito un Governo nazionale e libero, ma forte ad un tempo e impaziente d'ogni maniera di eccessi.

Con questa moderazione e concordia degli animi, con questa fermezza incrollabile di proposito i popoli della Toscana e dell'Emilia pervennero da ultimo a persuadere la diplomazia che gl'Italiani sono capaci di costruire un vasto Regno fondato ed ordinato sovra principi ed istituzioni largamente liberali.

would enable the representatives of the Nation to pass a solemn judgment on the political system pursued by it.

. . . . .

Gentlemen, if the Italian cause has finally won the universal sympathy of Europe, if the minds of the most cultured and educated nations are favorable to it, this is to be specially attributed to the wonderful temperateness of ideas and to the dignity of the manners observed by the various provinces of the Peninsula as soon as they succeeded in liberating themselves from the régime which foreigners had imposed upon them. Those provinces furnished the most solemn proof of the trueness and depth of the civilization of the Italian people, eradicating immediately every germ of anarchy, organizing itself without hesitation in accordance with the principles which prevail among the nations most experienced in the exercise of freedom, and finally manifesting its firm determination to abandon a provisional régime and see instituted a government which should be national and free, but at the same time strong and impatient of any kind of excesses.

With this moderation and concord of minds, with this unshakable firmness of purpose, the peoples of Tuscany and Emilia finally succeeded in persuading the diplomatic world that the Italians are capable of constructing a vast kingdom founded and organized on broadly liberal principles and institutions.

Le cose debbono procedere in egual modo nell'Italia meridionale. Guai se quei popoli avessero a durar lungamente nella incertezza del provvisorio; le perturbazioni e l'anarchia, che poco tarderebbero a scoppiare, diverrebbero cagione di danno immenso e di immenso disdoro alla patria comune. Il gran moto nazionale, uscendo dall' orbita regolare e meravigliosa che ha trascorsa finora, farebbe correre supremi pericoli, cosi alle provincie testè emancipate quanto a quelle che sono da oltre un anno fatte libere ed indipendenti. (*Sensazione*). Ciò non deve succedere. Il Re, il Parlamento non vi possono acconsentire.

Il Principe generoso, che l'Italia intera proclama iniziatore e duce del risorgimento nazionale, ha verso i popoli del Mezzogiorno d'Italia speciali doveri. L'impresa liberatrice fu tentata in suo nome; attorno al suo glorioso vessillo si raccolsero, si strinsero i popoli emancipati. Egli è dinanzi all'Europa, dinanzi ai posteri risponsabile delle loro sorti.

Non già che Re Vittorio Emanuele intenda perciò disporre a suo talento dei popoli dell'Italia meridionale, ma incombe a lui il debito di dare a quelli opportunità d'uscire dal provvisorio, manifestando apertamente, liberissimamente la volontà loro.

Quale sarà il risultato del voto? La risposta giace nell'urna elettorale.

Things must proceed in the same manner in Southern Italy. Woe unto them if those peoples should remain long in the uncertainty of a provisional régime; the disturbances and the anarchy which would not be long in breaking out would become a source of enormous injury and great dishonor to the common fatherland. The great national movement, deviating from the regular and wonderful orbit through which it has traveled up to the present, would place in supreme peril not only the provinces just emancipated but also those which have been made free and independent for over a year. (*Sensation*). This must not happen. The King and the Parliament can not consent to it.

The generous Prince whom all Italy proclaims as the initiator and leader of the national resurrection has special duties toward the peoples of the south of Italy. The liberating enterprise was undertaken in his name; around his glorious standard rallied and crowded the emancipated peoples. He is responsible for their fates before Europe and before posterity.

Not, indeed, that King Victor Emanuel intends for this reason to dispose at will of the peoples of Southern Italy, but the duty devolves upon him of affording them an opportunity to emerge from their provisional régime, manifesting their will openly and freely.

What will be the result of the vote? The answer lies in the ballot box.

Come italiani, noi desideriamo ardentemente che gli abitatori delle provincie non ancora unite operino non diversamente da quelli dell'Italia centrale, e collo stesso entusiasmo, con pari unanimità si dichiarino consenzienti al principio unificatore di tutta quanta la penisola sotto lo scettro costituzionale di Vittorio Emanuele.

Come ministri di un principe scevro d'ogni ambizione personale e che sacrò la sua spada e la vita alla grande opera di fare l'Italia degli Italiani, noi dobbiamo fermamente pronunziare in suo nome che qualunque sia per essere il voto di quei popoli esso verrà religiosamente rispettato. (*Bravo! Bene!*)

A noi non fallisce la fiducia che voi pure vi accorderete in questo pensiero. Tutti vogliamo recare a compimento il grande edificio della unità nazionale. Ma esso debbe sorgere mediante lo spontaneo consenso dei popoli, non per atto alcuno di costringimento e di forza.

Tali considerazioni indussero il Governo del Re a chiedere alle due Camere che gli sia fatta facoltà di compiere l'annessione di tutte quelle affrancate provincie italiane le quali, interrogate col mezzo del voto universale e diretto, dichiarassero di volere esser parte della numerosa famiglia di popoli già ricoverati sotto le ali del regno glorioso di Vittorio Emanuele.

Non crede il Ministero che la forma del voto possa esser argomento

As Italians, we ardently desire that the inhabitants of the provinces not yet united should act similarly to those of Central Italy and with like enthusiasm, and that they should with equal unanimity declare their acquiescence in the principle of unification of the whole Peninsula under the constitutional scepter of Victor Emanuel.

As ministers of a prince who is devoid of any personal ambition and who bared his sword and risked his life in the great task of making Italy belong to the Italians, we must firmly declare in his name that whatever the vote of those peoples is to be, it will be religiously respected. (*Bravo! Good!*)

We feel confident that you will also agree in this opinion. We all wish to bring to completion the grand edifice of national unity. But it must come through the spontaneous consent of the people, not through any act of constraint or force.

These considerations induced the King's Government to ask the two Chambers to grant him the power to accomplish the annexation of all those liberated Italian provinces, which, after being interrogated by means of direct and universal suffrage, should declare their desire to become a part of the numerous family of peoples already gathered into the folds of the glorious Kingdom of Victor Emanuel.

The Ministry does not think that the form of the vote can give room di discussioni. Imperocchè sarà quella medesima già posta in atto nell'Emilia e nella Toscana. I popoli verranno invitati ad esprimere nettamente se vogliono o no congiungersi al nostro Stato, senza però ammettere alcun voto condizionato. Poichè, com'è ferma nostra deliverazione di non imporre l'atto d'annessione ad alcuna parte d'Italia, dobbiamo dichiarare con pari schiettezza essere nostro avviso che non si debbano ammettere annessioni subordinate ad alcuna condizione speciale. (*Applausi.*) Ciò sarebbe, o signori, dar facoltà ad una o più provincie italiane di imporre la volontà loro alle provincie già innanzi costituite e d'inceppare l'ordinamento futuro della nazione introducendovi un vizio radicale e un germe funesto d'antagonismo e di discordia. (*Segni d'approvazione.*) Noi non dubitiamo d'altra parte di significare che il sistema delle annessioni condizionate da noi ripulso è contrario all'indole delle moderne società, le quali, se possono in certe peculiari congiunture ordinarsi convenientemente sotto forma federativa, non ammettono più il patto deditizio, vera reliquia del medio evo, modo d'unione poco degno di Re e di popolo italiano. (*Applausi.*)

for discussion; since it is the same which was used in Emilia and Tuscany. The people will be invited to state plainly whether or not they wish to join our State, though no conditional vote will be admitted. For just as we are firmly determined not to impose annexation upon any part of Italy, so must we likewise declare with equal frankness that we do not think that annexations should be accepted which are subject to any special condition. (*Applause.*) This, Gentlemen, would be authorizing one or more Italian provinces to impose their will upon the provinces constituted previously and to hinder the future organization of the Nation by introducing therein a radical defect and a baneful germ of antagonism and discord. (*Signs of approval.*) We do not hesitate, on the other hand, to intimate that the system of conditional annexations rejected by us is contrary to the nature of modern societies, which, while they may be able under certain peculiar circumstances to organize themselves in a federative form, nevertheless no longer admit of the capitulatory compact, which is a genuine relic of the middle ages and a mode of union little worthy of the Italian King and people. (*Applause.*)

. . . . .

Ci si permetta adunque di ripeterlo. Quella condizione di cose provvisoria e rivoluzionaria che poteva avere ragione di esistere a Napoli ed in Sicilia debbe aver termine al più presto pos-

Let us then repeat: The provisional and revolutionary condition of affairs which might have had a reason for existence in Naples and Sicily must terminate as soon as possible. This

sible. Lo richiede l'interesse di quelle provincie per cui lo stato presente è cagione feconda di gravissimi sconci; lo richiede sovratutto l'interesse e l'onore della causa nazionale. E come potrebbe, senza notabile scapito della dignità della Corona, come potrebbe Re Vittorio Emanuele acconsentire che provincie italiane siano lungo tempo governate nel nome di lui quali paesi di conquista, senza che il popolo adunato nei liberi comizi abbia espresso e manifestato con solenne legalità di voto la sua volontà? (*Segni d'approvazione.*)

Per queste ragioni io piglio speranza che voi farete, o signori, accoglienza favorevole alla proposta di legge che ho l'onore di presentarvi.

. . . . .

Custodi fedeli dello Statuto, del quale a noi più che ad altri incombe la esecuzione più scrupolosa, non crediamo che la parola d'un cittadino, per quanto segnalati siano i servigi da lui resi alla patria, possa prevalere alla autorità dei grandi poteri dello Stato. (*Bene! Bravo!*)

Però è debito assoluto dei ministri d'un Re costituzionale di non cedere innanzi a pretese poco legittime, anche quando sono avvalorate da una splendida aureola popolare e da una spada vittoriosa. (*Segni d'assentimento.*)

Ma se cedendo a quelle esigenze avremmo mancato al nostro debito, ci correva l'obbligo tuttavia d'interrogare il Parlamento, onde sapere

is required by the interests of those provinces to which the present state of affairs is a fruitful source of grave injuries; it is required above all by the interests and the honor of the national cause. And how could King Victor Emanuel, without notable detriment to the dignity of the Crown, consent that Italian provinces should be long governed in his name as conquered countries, without the people, assembled in free assemblies, having expressed and manifested its will by means of a solemn and lawful vote? (*Signs of approval.*)

For these reasons I take hope that you, Gentlemen, will receive with favor the bill which I have the honor to lay before you.

. . . . .

Faithful custodians of the Constitution, whose most scrupulous enforcement devolves upon us more than on any others, we do not think that the word of a citizen, however meritorious may have been the services that he has rendered to his country, should prevail over the authority of the great powers of the State. (*Good! Bravo!*)

But it is the absolute duty of the ministers of a constitutional King not to yield to unwarranted claims, even when they are backed by a splendid popular glory and by a victorious sword. (*Signs of assent.*)

But if, yielding to these demands, we had failed in our duty, we were nevertheless under obligation to interrogate Parliament, in order to s'egli è disposto a sancire la sentenza profferita contro di noi.

Questo effetto uscir deve dalla discussione cui darà motivo la presente proposta di legge.

Qualunque esser possa la deliberazione vostra, noi l'accetteremo con animo tranquillo. Sicuri della rettitudine delle nostre intenzioni, noi siamo egualmente disposti a servire la patria come ministri o come privati cittadini, consacrando in qualunque caso tutte le nostre forze alla grand'opera di costituire l'Italia sotto la Monarchia costituzionale di Vittorio Emanuele. (*Applausi fragorosi e prolungati.*)

### PROGETTO DI LEGGE [1]

ARTICOLO UNICO. Il Governo del Re è autorizzato ad accettare e stabilire per reali decreti l'annessione allo Stato di quelle provincie dell'Italia centrale e meridionale, nelle quali si manifesti liberamente, per suffragio diretto universale, la volontà delle popolazioni di far parte integrante della nostra Monarchia costituzionale.

. . . . .

learn whether it is disposed to confirm the dictum pronounced against us.

This result should not come within the discussion to which the present bill will give rise.

Whatever your decision may be, we will accept it with tranquil minds. Certain of the uprightness of our intentions, we are equally willing to serve our country as ministers or as citizens, in either case devoting our strength to the great task of establishing Italy under the constitutional Monarchy of Victor Emanuel. (*Prolonged and boisterous applause.*)

### BILL

ARTICLE ONE. The King's Government is authorized to accept and establish by royal decrees the annexation to the State of those provinces of Central and Southern Italy in which the will of the inhabitants to form an integral part of our constitutional Monarchy shall be freely manifested through direct universal suffrage.

. . . . .

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[1] *Le Assemblee,* vol. 11, p. 661. This bill was approved by the Chamber on December 11 by a vote of 290 to 6, and by the Senate on December 16 by a vote of 84 to 12. It is cited as Law of December 3, 1860, No. 4497.

## *Convocation of the Popular Assemblies of the Neapolitan Provinces for the Plebiscite. October* 8, 1860 [1]

### ITALIA E VITTORIO EMMANUELE

#### IL DITTATORE DELL'ITALIA MERIDIONALE

Sulla proposizione del ministro dell'interno, deliberata in Consiglio dei ministri.

DECRETA:

ART. 1. Il popolo delle provincie continentali dell'Italia meridionale sarà convocato pel dì 21 del corrente mese di ottobre in comizi, per accettare o rigettare il seguente plebiscito:

Il popolo vuole l'Italia una ed indivisibile, con Vittorio Emmanuele, Re costituzionale, e suoi legittimi discendenti.

Il voto sarà espresso per *sì* o per *no,* col mezzo di un bollettino stampato.

ART. 2. Sono chiamati a dare il voto tutti i cittadini, che abbiano compiuti gli anni ventuno, e si trovino nel pieno godimento dei loro diritti civili e politici.

Sono esclusi dal dare il voto tutti coloro, i quali sono colpiti da condanne, sieno criminali, sieno correzionali, per imputazioni di frode, di furti, di bancarotta e di falsità.

Sono esclusi parimenti coloro, i quali per sentenza sono dichiarati falliti.

ART. 3. Dal sindaco di ciascun

### ITALY AND VICTOR EMANUEL

#### THE DICTATOR OF SOUTHERN ITALY

On the recommendation of the Minister of the Interior and after deliberation in the Council of Ministers,

DECREES:

ARTICLE 1. The people of the continental provinces of Southern Italy shall be convoked for the 21st of the present month of October in assemblies in order to accept or reject the following plebiscite:

"The people wishes Italy one and indivisible under Victor Emanuel, constitutional King, and his legitimate descendants."

The vote shall be expressed by *yeas* and *nays,* on printed ballots.

ART. 2. All citizens are called upon to vote who have reached the age of 21 years and are in the full enjoyment of their civil and political rights.

All those are excluded from voting who have been sentenced for crimes or misdemeanors, charges of fraud, larceny, bankruptcy, or forgery.

All those are likewise excluded who have been declared bankrupt by judicial decree.

ART. 3. The mayor of each com-

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[1] *Le Assemblee,* vol. 11, p. 644.

comune saranno formate le liste dei votanti, ai termini dell'articolo precedente, le quali verranno pubblicate ed affisse nei luoghi soliti pel giorno 17 ottobre.

I reclami avverso le dette liste saranno prodotti fra le 24 ore seguenti dinanzi al giudice di circondario, che deciderà inappellabilmente per tutto il dì 19 detto mese.

Art. 4. I voti saranno dati e raccolti in ogni capoluogo di circondario, presso una Giunta, composta del giudice presidente, e dei sindaci dei comuni del circondario medesimo.

Si troveranno, nei luoghi destinati alla votazione, su di un apposito banco, tre urne, una vuota nel mezzo, e due laterali, in una delle quali saranno preparati i bullettini col *sì,* e nell'altra quelli del *no,* perchè ciascun votante prenda quello che gli aggrada e lo deponga nell'urna vuota.

Art. 5. Compiuta la votazione, la Giunta circondariale, in seduta permanente, invierà immediatamente l'urna dei voti, chiusa ed assicurata, per mezzo del giudice, suo presidente, alla Giunta provinciale.

Art. 6. In ogni capoluogo di provincia vi sarà una Giunta provinciale composta dal governatore, presidente, dal presidente e procuratore generale della Gran Corte criminale, e dal presidente e procuratore regio del tribunale civile. Tale Giunta, anche in seduta permanente, procederà

mune shall prepare the lists of the voters, in accordance with the foregoing article, which lists shall be published and posted up in the usual places for the 17th day of October.

Complaints against the said lists shall be filed within the following 24 hours before the judge of the district, who shall decide beyond appeal by the 19th of said month.

Art. 4. The votes shall be cast and gathered in each chief town of a district, before a board composed of the judge as president and of the mayors of the communes of the district in question.

At the places designated for the voting, there shall be placed on a suitable bench three urns, one of them being empty and placed in the middle and two on the sides, in one of which shall be placed the ballots bearing the word *yea* and in the other those with the word *nay,* in order that each voter may take the one that suits him and deposit it in the empty urn.

Art. 5. When the voting has been terminated, the district board, in permanent session, shall, through the judge who is its president, immediately send the urn containing the ballots, closed and made secure, to the Provincial Board.

Art. 6. At every chief town of a province there shall be a provincial board composed of the Governor as its president, of the President and Solicitor General of the Great Criminal Court, and of the President and Royal Solicitor of the Civil Tribunal. This board, also in permanent

allo scrutinio dei voti, raccolti nelle Giunte circondariali, ed invierà immediatamente il lavoro, chiuso e suggellato, per mezzo di un agente munipale o di altra persona di sua fiducia, al presidente della Corte Suprema di giustizia.

Art. 7. Lo scrutinio generale de' voti sarà fatto dalla indicata Suprema Corte. Il presidente di essa annunzierà il risultato del detto scrutinio generale da una tribuna, che verrà appositamente collocata nella piazza di S. Francesco di Paola.

Art. 8. Per la città di Napoli la votazione si farà presso ciascuna delle dodici sezioni, nelle quali è divisa la capitale.

La Giunta di ogni sezione sarà composta dal giudice di circondario, presidente, dall'eletto e da due decurioni, all'uopo delegati dal sindaco.

Saranno applicate per la città di Napoli tutte le regole, stabilite per gli altri comuni, in quanto alla formazione delle liste ed alla discussione dei reclami.

Art. 9. I ministri dell'interno e della giustizia sono incaricati della esecuzione.

Napoli, 8 ottobre 1860.

*Il Pro-Dittatore*
Giorgio Pallavicino.
*Il ministro dell'interno e polizia*
Raffaele Conforti.

session, shall proceed to count the votes gathered by the district boards, and it shall immediately send the result, closed and sealed, through a municipal agent or other trustworthy person, to the President of the Supreme Court of Justice.

Art. 7. The general count of the votes shall be made by the aforementioned Supreme Court. The president of the latter shall announce the result of the said general count from a speaker's platform to be located for the purpose on the square of S. Francesco di Paola.

Art. 8. In the city of Naples, the voting shall take place in each of the twelve sections into which the capital is divided.

The board of each section shall be composed of the district judge as president, of the candidate elect, and of two *decurioni* delegated for the purpose by the mayor.

All the rules shall be applied in Naples which have been established for the other communes as regards the preparation of the lists and the discussion of complaints.

Art. 9. The Ministers of the Interior and Justice are charged with the enforcement hereof.

Naples, October 8, 1860.

*Pro-Dictator*
Giorgio Pallavicino,
*Minister of the Interior and Police*
Raffaele Conforti.

## *Convocation of the Assembly of the Representatives of the Sicilian People. October 9, 1860* [1]

### IN NOME DI S. M. VITTORIO EMMANUELE

### RE D'ITALIA

IL PRODITTATORE [2]

Veduto il decreto del 5 di questo mese,[3] col quale fu disposta la convocazione dei Collegi elettorali:

Volendo accelerare il fortunato momento in cui il popolo siciliano, debitamente rappresentato, possa manifestare liberamente la sua volontà intorno alla annessione di cui trattasi nel citato decreto;

Sulla proposta del segretario di Stato per gli affari esteri e pel commercio, quale reggente interinalmente la Segreteria di Stato dell'interno;

Udito il Consiglio dei segretari di Stato;

DECRETA E PROMULGA:

ART. 1. L'Assemblea de'rappresentanti del popolo siciliano si riunirà in Palermo nel dì del vegnente novembre.

ART. 2. Il segretario di Stato dell'interno è incaricato della esecuzione del presente decreto.

Ordina che il presente, munito del suggello dello Stato, sia inserto nella Raccolta degli Atti del Governo, man-

### IN THE NAME OF H. M. VICTOR EMANUEL

### KING OF ITALY

THE PRO-DICTATOR

In view of the decree of the 5th of this month, whereby the convocation of the electoral colleges was ordered;

Wishing to hasten the fortunate moment when the Sicilian people, duly represented, may freely manifest its will in regard to the annexation to which the said decree relates;

On the recommendation of the Secretary of State for Foreign Affairs and for Commerce, as temporarily in charge of the Department of the Interior;

And after hearing the Council of Secretaries of State,

DECREES AND PROMULGATES:

ARTICLE 1. The Assembly of the representatives of the Sicilian people shall meet at Palermo on the 9th day of next November.

ART. 2. The Secretary of the Interior is charged with the enforcement of the present decree.

He orders that the present decree, with the seal of State attached, be inserted in the Collection of the Acts dando a chiunque spetti di osservarlo e di farlo osservare.

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[1] *Le Assemblee,* vol. 15, p. 1026.

[2] Mordini was appointed by Garibaldi as Prodictator on September 17, 1860.—*Ibid.,* p. 1022.

[3] *Ibid.,* p. 1011. The Decree fixing the qualifications and provisions for the vote and establishing universal manhood suffrage was issued June 23

Dato in Palermo il 9 ottobre 1860

Mordini.
D. Piraino-Scrofani.

of the Government, ordering all concerned to observe it and cause it to be observed.

Given at Palermo on October 9, 1860.

Mordini.
D. Piraino-Scrofani.

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## *Convocation of the Popular Assemblies of Sicily for a Plebiscite on the Question of Union with Italy under Victor Emanuel. October* 15, 1860 [1]

### IN NOME DI S. M. VITTORIO EMMANUELE

### Re d'Italia

### IL PRODITTATORE

In virtù dei pieni poteri a lui conferiti;

Sulla proposta del segretario di Stato dell'interno;

Udito il Consiglio dei segretari di Stato;

DECRETA E PROMULGA:

Art. 1. I Comizi elettorali, convocati pel 21 ottobre, in luogo di procedere all'elezione dei deputati, dovranno votare per plebiscito sulla seguente proposizione:

" Il popolo siciliano vuole l'Italia Una e Indivisibile con Vittorio Emmanuele Re costituzionale e i suoi legittimi discendenti."

Art. 2. Il voto sarà dato per bullettino stampato o scritto portante la scritta *sì* o *no*. Ogni altro bullettino sarà reputato nullo.

Art. 3. Lo spoglio dei voti sarà

### IN THE NAME OF H. M. VICTOR EMANUEL

### King of Italy

### THE PRO-DICTATOR

By virtue of the full powers conferred upon him,

On the recommendation of the Secretary of the Interior,

And after hearing the Council of Secretaries of State,

DECREES AND PROMULGATES:

Article 1. The Electoral Assemblies called for October 21, instead of proceeding to the election of deputies, shall vote by plebiscite on the following proposition:

" The Sicilian people wishes Italy One and Indivisible under Victor Emanuel, Constitutional King, and his legitimate descendants."

Art. 2. The vote shall be given by a printed or written ballot containing the word *yea* or *nay*. Any other ballot shall be deemed null and void.

Art. 3. The votes shall be counted

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[1] *Le Assemblee*, vol. 15, p. 1027.

fatto nel modo prescritto dal decreto del 5 ottobre; e proclamatone il risultato ne sarà trasmesso verbale all'intendente del circondario e da questo al governatore della provincia, che lo spedirà immediatamente al presidente della Corte Suprema di giustizia.

ART. 4. La Corte Suprema di giustizia in seduta permanente, raccolti tutti i verbali, procederà allo scrutinio generale. Il risultato finale sarà proclamato dal presidente della Suprema Corte dal balcone del Palazzo dei Tribunali.

ART. 5. Il segretario di Stato dell' interno è incaricato della esecuzione del presente decreto.

Ordina che il presente decreto, munito del suggello dello Stato, sia inserto nella Raccolta degli Atti del Governo, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato in Palermo, il 15 ottobre 1860.

*Il Prodittatore*

MORDINI

*Il segretario di Stato dell'interno*

ENRICO PARISI

*Il segretario di Stato della giustizia*

SCROFANI

in the manner prescribed by the decree of October 5; and when the result of the count has been proclaimed, a record thereof shall be transmitted to the intendent of the district and by the latter to the governor of the province, who shall forward it immediately to the President of the Supreme Court of Justice.

ART. 4. The Supreme Court of Justice in permanent session, after gathering together all the records, shall proceed to make a general count. The final result shall be proclaimed by the President of the Supreme Court from the balcony of the Court House.

ART. 5. The Secretary of the Interior is charged with the enforcement of the present decree.

He orders that the present decree, with the seal of State attached, be inserted in the Collection of the Acts of the Government, commanding all concerned to observe it and cause it to be observed.

Given at Palermo, October 15, 1860.

*Pro-Dictator*

MORDINI

*Secretary of the Interior*

ENRICO PARISI

*Secretary of Justice*

SCROFANI

## *Garibaldi Decrees the Union of the Two Sicilies with the Constitutional Kingdom of Victor Emanuel. October* 15, 1860[1]

Per adempiere ad un voto indispensabilmente caro alla Nazione intera;

IL DITTATORE

DECRETA:

Le Due Sicilie, che al sangue italiano devono il loro riscatto e che mi elessero liberamente a Dittatore, fanno parte integrante dell'Italia Una ed Indivisibile — con suo Re costituzionale Vittorio Emmanuele ed i suoi discendenti.

Io deporrò nelle mani del Re — al suo arrivo — la Dittatura conferitami dalla Nazione.

I Prodittatori sono incaricati della esecuzione del presente decreto.

Sant'Angelo, 15 Ottobre 1860.

G. Garibaldi.

In order to fulfill a wish ardently cherished by the whole Nation,

THE DICTATOR

DECREES:

The Two Sicilies, which owe their redemption to Italian blood and which freely exalted me to the position of Dictator, constitute an integral part of Italy, One and Indivisible, under its constitutional King Victor Emanuel and his descendants.

I shall deposit in the hands of the King, upon his arrival, the Dictatorship conferred upon me by the Nation.

The Pro-dictators are charged with the enforcement of the present decree.

Sant' Angelo, October 15, 1860.

G. Garibaldi.

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## *Proclamation of the Pro-Dictator of Sicily Urging a Vote for Union. October* 15, 1860[1]

*Italiani della Sicilia!*

Io vi dissi giungendo al potere: — La vostra Storia vi obbliga ad essere grandi.

Ora è forza mostrar che lo siete.

Ad affrettare il compimento dei vostri destini, io scelsi, or son pochi di, una via che altri popoli d'Italia avevano percorsa con plauso d'Europa. E la scelsi perchè aveva l'approva-

*Italians of Sicily:*

When I came into power I told you that your history made it obligatory upon you to be great.

Now it is necessary to show that you are so.

In order to hasten the fulfillment of your destinies, I chose, a few days ago, a path which other peoples of Italy had trodden with the applause of Europe. I chose it because it had

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[1] *Le Assemblee,* vol. 15, p. 1028.

zione del Dittatore, perchè guidava ad un patto solenne di conciliazione e di pace, perchè non escludeva la successiva applicazione d'un altro principio, che m'ebbe sempre appassionato cultore.

Oggi nuovi casi han cangiato le condizioni dei giorni passati.

Qui si tratta di fare colla concordia la Patria.

*Italiani della Sicilia!*

Dal fondo dell'urna, ove il giorno 21 si deciderà del vostro avvenire, fate che sorga questo commovente annunzio ai Popoli della Penisola: In Sicilia più non sono partiti. Sarà per GARIBALDI la miglior prova d'affetto; sarà il mio conforto nel separarmi da Voi.

*Palermo, li* 15 *ottobre* 1860.
*Il Pro-Dittatore,*
MORDINI.

the approval of the Dictator, because it led to a solemn compact of conciliation and peace, and because it did not preclude the subsequent application of another principle of which I was always an impassioned advocate.

To-day new events have changed the conditions of past days.

It is now a question of constructing our country on the basis of concord.

*Italians of Sicily:*

From the urns, in which your future will be decided on the 21st, see that the following stirring announcement to the peoples of the Peninsula emerges: " In Sicily there are no longer any parties." This will be the best evidence of affection to Garibaldi; it will be my comfort when I part from you.

*Palermo, October* 15, 1860.
*Pro-Dictator,*
MORDINI.

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### *Circular to the Governors of the Provinces Regarding the Plebiscite. October* 16, 1860 [1]

SIGNOR GOVERNATORE,

Ella ha ricevuto per mezzo dei telegrafi il decreto che convoca il popolo per accettare o rigettare il seguente Plebiscito:

Il popolo vuole l'Italia una ed indivisibile con Vittorio Emmanuele e suoi legittimi discendenti.

L'importanza di questo grande atto, che deve decidere delle nostre sorti ed

MR. GOVERNOR:

You have received by telegraph the decree which convokes the people for the purpose of accepting or rejecting the following plebiscite:

" The people wishes Italy one and indivisible under Victor Emanuel and his legitimate descendants."

The importance of this great act, which is to decide our fates and in-

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[1] *Le Assemblee,* vol. 11, p. 645.

integrare la Nazione, è visibile e manifesta, ed io crederei offendere il patriottismo della Signoria Vostra, se spendessi molte parole a dimostrarlo.

Ho creduto però mio debito esporle alcune considerazioni in proposito, affinchè sia noto all'universale che il Ministero sente e conosce i supremi doveri che gli impongono le presenti necessità. Ella quindi trasmetterà a tutt'i pubblici funzionari da lei dipendenti e diffonderà in tutt'i luoghi della sua giurisdizione la presente circolare.

Questa nobilissima parte della Penisola, che si dicea Reame di Napoli, fu sequestrata finora dalla vita nazionale. Un feroce dispotismo, che non ha riscontro nelle storie, aiutato da forze mercenarie e dalle arti più inique e più vili, comprimendo fortemente il popolo, era un potente ostacolo alla restaurazione della Patria italiana. Ma un eroe, seguìto da un pugno di prodi, con una serie di prodigi, che hanno sorpreso il mondo, rompea quel fascio di forze che sostenea la oscena tirannide, e ci liberava. Innanzi e dietro i passi dell'uomo straordinario le nostre popolazioni insorsero, e la Monarchia, fuggitiva con gli ultimi avanzi del suo esercito, appena ebbe tempo di nascondersi nei propugnacoli di Capua e di Gaeta.

Infrante le nostre catene, risorto il popolo a vita novella, acquista ora il dritto di pronunziarsi intorno a'suoi futuri destini. Bisogna quindi, si-

tegrate the Nation, is obvious and plain, and I should fear to offend your patriotism if I were to expend many words in demonstrating it.

However, I have deemed it my duty to set forth to you some considerations on the matter, to the end that the public at large may know that the Ministry feels and realizes the supreme duties imposed upon it by present necessities. You will therefore transmit the present circular to all the public officials subordinate to you and disseminate it throughout all places under your jurisdiction.

This most noble part of the Peninsula, which was called the Kingdom of Naples, has hitherto been sequestrated from the national life. A ferocious despotism, which has no counterpart in history, aided by mercenary forces and by the most vile and iniquitous arts, forcibly suppressed the people and was a powerful obstacle to the restoration of the Italian fatherland. But a hero, followed by a handful of brave men, through a series of prodigious feats which surprised the world, broke that combination of forces which sustained the outrageous tyranny, and freed us. Before and behind the steps of the extraordinary man our people rose, and the Monarchy, fleeing with the final remains of its army, hardly had time to hide in the defensive works of Capua and Gaeta.

Our chains being broken, the people have risen to a new life and are now acquiring the right to pass upon their future destinies. It is therefore

gnor Governatore, che ella faccia altamente sentire che ora appartiene al popolo di queste provincie continentali di accertare per sempre la sua redenzione e quella della intera Italia. La sentenza che uscirà dall'urna nel dì 21 del corrente mese rivelerà alle nazioni, se la terra del Sannio e della Magna Grecia, ove si udì per la prima volta il nome santo d'Italia, ed ove sorse la prima civiltà d'Occidente, sia degna di far parte della grande famiglia italiana.

Il Ministero ha la fiducia che le genti napolitane, per italianità e fermezza di proposito, non si mostreranno minori di quelle della Toscana e dell'Emilia, e che esse compiranno l'opera stupenda del patrio risorgimento, fondando con libero voto la grande Monarchia italiana.

Signor Governatore, ella adotterà i più efficaci provvedimenti, affinchè sia rispettato il dritto che hanno tutte le opinioni di manifestarsi liberamente. Impedisca qualunque violenza che, sotto qualsiasi pretesto, possa turbare la coscienza de'cittadini, nè permetta che con minaccie ipocrite o faziose sia alterato l'atto solenne.

Il Re magnanimo è alle nostre porte. Invitato dal Dittatore, egli non viene sospinto da ambizione di nuovi domini, ma dall'ambizione nobilissima di rendere l'Italia agl'Italiani.

Egli viene a capo del possente esercito, che in pochi giorni liberava dalle

necessary, Mr. Governor, that you should proclaim aloud that it is now for the people of these continental provinces to secure for ever their redemption and that of all Italy. The verdict to be pronounced at the polls on the 21st instant will reveal to the Nations whether the land of Samnium and Magna Graecia, where the sacred name of Italy was heard for the first time and where the civilization of the Occident arose, is worthy of forming a part of the great Italian family.

The Ministry is confident that the Neapolitan people will not prove inferior, in Italian character and firmness of purpose, to the people of Tuscany and Emilia, and that they will complete the stupendous work of national resurrection by founding, through their free vote, the great Italian Monarchy.

Mr. Governor, you will adopt the most effective measures to the end that the right of all to express their opinion freely may be respected. Prevent any violence which may, under any pretext, perturb the conscience of the citizens, and do not permit the solemn act to be marred by hypocritical or factious threats.

The magnanimous King is at our doors. Being invited by the Dictator, he does not come spurred on by ambition for new dominions, but by the most noble ambition to restore Italy to the Italians.

He comes at the head of the powerful army which in a few days liberorde mercenarie due altre nobili provincie.

La più bella accoglienza, che noi possiam fargli, si è quella di proclamarlo con libero ed unanime suffragio Re d'Italia. Così il popolo di questa meridional parte della Penisola avrà la gloria di suggellare il patto d'amore, che già stringe con nodo indissolubile Italia e Vittorio Emmanuele.

GIORGIO PALLAVICINO — RAFFAELE CONFORTI — LUIGI GIURA — PASQUALE SCURA — AMILCARE ANGUISSOLA — GIACOMA COPPOLA.

ated two other noble provinces from the mercenary hordes.

The most handsome reception that we can give him will be to proclaim him King of Italy by our free and unanimous suffrage. Thus the people of this southern part of the Peninsula will have the glory of sealing the compact of love which already binds Italy to Victor Emanuel with an indissoluble knot.

GIORGIO PALLAVICINO, RAFFAELE CONFORTI, LUIGI GIURA, PASQUALE SCURA, AMILCARE ANGUISSOLA, GIACOMA COPPOLA.

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### *Formal Minute of the Result of the Plebiscite of the Neapolitan Provinces as Proclaimed by the Supreme Court. November* 3, 1860[1]

L'anno 1860, il giorno 3 Novembre, alle ore 9 antim., in Napoli;

La Corte Suprema di Giustizia, composta dei Signori: Presidente, NIUTTA; Vice Presidente, SPACCAPIETRA; Consiglieri, ABBATEMARCO, SICA, CASTRIOTA, NICOLINI, Cav. ZAMPAGLIONE, Cav. DALIA, Cav. ROSSI, Cav. DE STASI, Cav. MORELLI, D'ALENA, Cav. GRIMALDI, COLOSIMO, LANZILLI, PIRONTI, Procurator Generale VACCA, Avvocati Generali Cav. GIGLI e Cav. CARACCIOLO e dal Giudice di Gran Corte Civile Cancelliere SACCOMANDI; si è riunita in Sessione generale nel Palazzo di Maddaloni, solito luogo delle sue udienze.

Il Presidente, Signor NIUTTA, ha manifestato al Supremo Collegio che

At 9 o'clock A. M. of the 3d day of November, 1860, at Naples;

The Supreme Court of Justice, composed of the President, NIUTTA; the Vice-President, SPACCAPIETRA; Counselors ABBATEMARCO, SICA, CASTRIOTA, NICOLINI, Cav. ZAMPAGLIONE, Cav. DALIA, Cav. ROSSI, Cav. DE STASI, Cav. MORELLI, D'ALENA, Cav. GRIMALDI, COLOSIMO, LANZILLI, PIRONTI, Solicitor-General VACCA, Attorneys-General Cav. GIGLI and CAV. CARACCIOLO and SACCOMANDI, Judge of the High Court of Chancery, met in general session in the Palace of Maddaloni, the usual place of its sessions.

The President, Sig. NIUTTA, stated to the Supreme College that the l'oggetto della Sessione sia quello di procedere, ai termini dell'Art. 7 del Decreto Dittatoriale 8 Ottobre 1860, allo scrutinio generale dei voti raccolti nei Comizi, in tutte le Provincie continentali dell'Italia Meridionale, sul seguente Plebiscito:

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[1] *Le Assemblee*, vol. 11, p. 650.

" Il Popolo vuole l'Italia una ed indivisibile, con VITTORIO EMANUELE Re Costituzionale e suoi legittimi Discendenti."

A quale effetto ha egli presentato al Collegio medesimo i Processi Verbali dei lavori di scrutinio rispettivamente eseguiti dalle Giunte Provinciali, e gli uffizi e documenti correlativi a lui pervenuti in esecuzione dell'Art. 6 del Decreto anzidetto.

La Corte Suprema si è quindi immediatamente occupata di tale importante obietto, e dopo diligente e accurato esame degli Atti ha osservato;

Che le operazioni delle Giunte Provinciali siano state eseguite in piena regola ed ai termini della Legge;

Che il numero dei votanti in tutte le Provincie continentali ascenda a 1,312,376, e che abbiano votato 1,302,064 affermativamente, e negativamente soli 10,312, siccome emerge da uno stato distinto per ciascuna Provincia, e sottoscritto dai componenti di questa Corte Suprema e che rimane alligato al presente Processo Verbale per formarne parte integrante;

Che perciò il risultato generale della votazione offra voti affermativi 1,302,064, contro voti 10,312 negativi.

object of the session was to proceed, in accordance with Art. 7 of the Dictatorial Decree of October 8, 1860, to make a general count of the votes gathered at the assemblies, in all the continental provinces of Southern Italy, on the following plebiscite:

" The people wishes Italy one and indivisible under Victor Emanuel, Constitutional King, and his legitimate descendants."

For which purpose he presented to the College the records of the counts made by the various Provincial Boards, and the dispatches and documents relating thereto which were sent to him in compliance with Art. 6 of the aforementioned decree.

The Supreme Court, therefore, at once took up this important work and, after a diligent and careful examination of the documents, observed:

That the operations of the Provincial Boards had been performed in an absolutely regular manner and in accordance with the law;

That the number of voters in all the continental provinces amounts to 1,312,376, and that 1,302,064 had voted affirmatively and only 10,312 negatively, as is shown from separate statements for each Province, signed by the members of this Supreme Court and appended to the present record in order to form an integral part thereof;

That, consequently, the general result of the voting shows that there were 1,302,064 affirmative as against 10,312 negative votes.

Quindi la Corte Suprema di Giustizia dichiara:

> Che la votazione nei Comizi, sul Plebiscito espresso nel Decreto Dittatoriale dei dì 8 ottobre 1860, offre per tutte le Provincie continentali dell'Italia meridionale il risultato generale di 1,312,376 votanti, dei quali hanno votato affermativamente 1,302,064 e negativamente soli 10,312.
>
> Che ciò importa piena ed assoluta accettazione del Plebiscito medesimo, e che in conseguenza il popolo delle Provincie continentali dell' Italia meridionale vuole L'Italia una ed Indivisibile, con Vittorio Emmanuele II, re Costituzionale, e suoi Legittimi Discendenti.

Dopo di che il Presidente ha invitato i componenti la Corte Suprema a recarsi immediatamente nella Piazza di S. Francesco da Paola, per annunziarsi al pubblico dalla tribuna ivi appositamente collocata il risultato del detto scrutinio generale.

Arrivata la Corte Suprema all'indicata piazza e preso posto nell'enunciata tribuna, il Presidente Signor Vincenzo Niutta ha annunziato all' immenso Popolo quivi radunato il risultato dello scrutinio generale fatto dalla Corte Suprema di Giustizia e proclamato il Plebiscito nei termini medesimi di sopra espressi.

Di tutto ciò è stato redatto il presente Verbale in tre originali, dei quali uno sarà trasmesso al Ministro di Giustizia e Grazia ed un altro al Ministro dell'Interno, ed il terzo rimarrà

Therefore the Supreme Court of Justice declares:

> That the voting in the conventions on the plebiscite mentioned in the dictatorial decree of October 8, 1860, shows for all the continental provinces of Southern Italy a general result of 1,312,376 voters, of whom 1,302,064 voted affirmatively and only 10,312 negatively.
>
> That this implies a full and absolute acceptance of the said plebiscite, and that consequently the people of the continental provinces of Southern Italy wish Italy one and indivisible, under Victor Emanuel II, Constitutional King, and his legitimate descendants.

Whereupon the President invited the members of the Supreme Court to betake themselves immediately to the Piazza San Francesco da Paola in order that the result of said general count might be announced to the public from the platform there erected for the purpose.

The Supreme Court having arrived at the said piazza and having taken its position on the platform mentioned, the President, Sig. Vincenzo Niutta, announced to the immense crowd of people there gathered, the result of the general count made by the Supreme Court of Justice, and proclaimed the plebiscite in the same terms as expressed above.

Of all of which the present record was drawn up in triplicate, one copy to be transmitted to the Minister of Justice and Grace and another to the Minister of the Interior, while the

depositato nell'Archivio della Corte Suprema di Giustizia, unitamente ai Processi Verbali delle Giunte di Provincia ed agli uffizi e documenti sopraccennati, il cui Elenco sottoscritto dal Presidente e dal Cancelliere verrà pure alligato al terzo originale anzidetto.

Vincenzo Niutta — Nicola Spaccapietra — Federico Castriota — Domencio Dalia — Giovanni De Stasi — Michele Zampaglione — Luigi D'Alena — Nicolo Gigli — Gio. Battista Nicolini — Beniamino Caracciolo — Callisto Rossi — Gaetano Grimaldi — Gregorio Morelli — Domenico Colosimo — Michele Pironti — Giambattista Sica — Domenico Abbatemarco — Antonmaria Lanzilli — Giuseppe Vacca — Raffaele Saccomandi, *Cancelliere.*

third shall remain on file in the archives of the Supreme Court of Justice, together with the Formal Minutes of the Provincial Boards and the above-mentioned dispatches and documents, a list of which, signed by the President and Chancelor, shall also be appended to the third original copy aforementioned.

Vincenzo Niutta, Nicola Spaccapietra, Federico Castriota, Domenico Dalia, Giovanni De Stasi, Michele Zampaglione, Luigi D'Alena, Nicolo Gigli, Gio. Battista Nicolini, Beniamino Caracciolo, Callisto Rossi, Gaetano Grimaldi, Gregorio Morelli, Domenico Colosimo, Michele Pironti, Giambattista Sica, Domenico Abbatemarco, Antonmaria Lanzilli, Giuseppe Vacca, Raffaele Saccomandi, *Chancelor.*

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## *Formal Minute of the Result of the Plebiscite in Sicily as Announced by the Supreme Court of Justice of Palermo. November* 4, 1860 [1]

L'anno 1860 il giorno 4 novembre in Palermo;

Alle ore 8 antimeridiane;

La Corte Suprema di giustizia, composta dei signori:

Pasquale Calvi, presidente;

Pietro Cirino, Vincenzo Errante, Salvatore Schiavo, Antonino Giaconia, Giuseppe Pulese, Giuseppe

On the 4th day of November of the year 1860 at Palermo,

At 8 o'clock A. M.,

The Supreme Court of Justice, composed of:

Messrs. Pasquale Calvi, President;

Pietro Cirino, Vincenzo Errante, Salvatore Schiavo, Antonio Giaconia, Giuseppe Pulese, Guiseppe Vinci

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[1] *Le Assemblee,* vol. 15, p. 1029.

Vinci Orlando, Vincenzo Cacioppo, consiglieri;

Antonino Ferro, giudice di Gran Corte civile, col grado ed onori di vice-presidente della stessa, destinato a servire in questa Corte Suprema, coll' intervento del signor Francesco Calcagno, avvocato generale, assistito dal signor Cirino Caruso, vice-cancelliere;

Si è riunita nel palazzo dei Tribunali nell'aula delle sue ordinarie sedute in esecuzione dell'articolo 4 del decreto del Prodittatore del 15 ottobre ultimo per esaminare in seduta permanente i verbali tutti dei comuni di Sicilia contenenti il numero dei voti pronunziati per plebiscito dalle popolazioni dell'Isola, per *Si,* o *No,* sulla proposizione scritta dall'articolo primo nell'indicato decreto così concepita:

"Il Popolo Siciliano vuole l'Italia una ed indivisibile con Vittorio Emanuele Re costituzionale, ed i suoi legittimi discendenti."

Raccolti tutti i verbali, e fattone il dovuto scrutinio, si sono ottenuti i risultamenti che seguono:

. . . . .

(*Sono riportati i votanti ed i voti pel* Sì *e pel* No *per ciascun comune della Sicilia.*)

Totale votanti . . . . 432,720
pel *Sì* 432053 pel *No* 667

Non si è tenuto conto dei voti nulli, come pure non si è tenuta ragione dei due verbali di Ustica e Mandanici, per avere quelle popolazioni votato il *Sì*

Orlando, and Vincenzo Cacioppo, counselors;

Antonio Ferro, Judge of the High Civil Court, with the rank and honors of Vice-President thereof, designated to serve in this Supreme Court, with the cooperation of Sig. Francesco Calcagno, Attorney General, assisted by Sig. Cirino Caruso, Vice-Chancelor;

Convened in the Court House, in its ordinary hall of sessions, in pursuance of article 4 of the decree of the Pro-dictator of October 15 last, in order to examine in permanent session the records of all the communes of Sicily containing the number of votes cast by plebiscite by the people of the Island, in the form of *Yeas* or *Nays,* on the proposition set forth in article 1 of the said decree and worded as follows:

"The Sicilian people wishes Italy One and Indivisible under Victor Emanuel, Constitutional King, and his legitimate descendants."

Having gathered together all the minutes and having duly examined them, the following results were found:

. . . . .

(*The voters and the votes are reported by Yeas and Nays for each commune of Sicily.*)

Total number voting . . 432,720
Yeas . . 432,053. Nays . . 667

No account was taken of the votes which were null and void, and neither were the two minutes for Ustica and Mandanici taken into consideration,

per acclamazione, senza distinzione di età e di sesso. Non si è del pari fatto conto del verbale del comune di Alì per non offrire le indicazioni del numero dei votanti, tanto pel *Sì*, quanto pel *No*.

Si sono giudicati difettosi e però esclusi:

Primo, il verbale degli uffiziali amministrativi dell'Intendenza militare di Messina per aver votato col *Sì* i diciannove individui sottoscritti sulla seguente proposizione:

*Per l'annessione al Regno Italico rappresentato dal Re costituzionale.*

Secondo, quello del battaglione dei Cacciatori dell'Etna, per aver votato numero duecentotrentasei individui pel *Sì* sulla seguente formola:

*Per l'annessione al Regno costituzionale di Vittorio Emanuele II e suoi legittimi discendenti.*

Terzo, del battaglione Siculo Colina, per avere i duecento individui che votarono pel *Sì*, seguìta questa formola:

*Per l'annessione al Governo costituzionale di Vittorio Emanuele II.*

Formole tutte tre non conformi alla proposizione scritta all'articolo 1 del decreto Prodittatoriale del 15 ottobre ultimo.

Finalmente non ha potuto ammettersi un atto notarile qui pervenuto da Torino esibito alla Corte Suprema di giustizia, che mostra essersi presentati in Torino a notar Giovanni Signorelli numero diciannove individui

because the people of those places voted Yea by acclamation, without distinction of age or sex. The record of the commune of Ali was likewise disregarded because it afforded no indication of the number of voters voting either *Yea* or *Nay*.

The following were deemed defective and accordingly excluded:

Firstly, the record of the administrative officers of the Military Intendancy of Messina because the nineteen persons signing had voted Yea on the following proposition:

*For annexation to the Italian Kingdom represented by the Constitutional King.*

Secondly, that of the battalion of Chasseurs of Etna, because the two hundred and thirty-six persons voted Yea on the following proposition:

*For annexation to the constitutional Kingdom of Victor Emanuel II and his legitimate descendants.*

Thirdly, that of the Siculo Colina battalion because the two hundred persons who voted Yea used the following wording:

*For annexation to the constitutional Government of Victor Emanuel II.*

None of these three forms of wording is in conformity with the proposition as embodied in article 1 of the decree of the Pro-Dictator of October 15.

Finally, it was impossible to admit a notarial act received here from Turin and exhibited to the Supreme Court of Justice, showing that nineteen Sicilians went before notary Giovanni Signorelli at Turin and siciliani, i quali chiesero atto della loro spontanea votazione, rispettivamente espressa col *Sì* nella seguente proposizione:

*Sulla quistione dell'annessione immediata di quella parte di Italia al Regno costituzionale di Vittorio Emanuele e suoi discendenti;*

Che ognun vede quanto sia diversa da quella indicata nel cennato decreto.

Compite tutte le operazioni, il signor Presidente accompagnato dai componenti la Corte Suprema si è fatto al balcone di centro del Palazzo dei Tribunali, ed ha proclamato i risultati del Plebiscito Siciliano, colle seguenti parole:

> Sulla proposizione: Il popolo Siciliano vuole l'Italia una ed indivisibile con Vittorio Emanuele Re costituzionale, ed i suoi legittimi discendenti:
>
> I voti pel Sì sono stati quattrocento trentadue mila e cinquantatre. I voti pel No sono stati seicento sessantasette.

Del tutto si è formato il presente processo verbale in triplo originale dalla Corte Suprema in Corpo, due al Prodittatore, e conservarsi il terzo nell'archivio di questa Corte Suprema di giustizia, insieme a tutti verbali originali di sopra indicati.

Chiuso nel giorno suddetto alle ore due pomeridiane.

Pasquale Calvi, presidente.

Francesco Calcagno, avvocato generale; Pietro Cirino, Vincenzo Errante, Salvatore Schiavo, Antonio

asked that a record be made of their spontaneous votes, respectively expressed by *Yea* on the following proposition:

*On the question of the immediate annexation of that part of Italy to the constitutional Kingdom of Victor Emanuel and his descendants.*

Any one can see how much the foregoing differs from the form indicated in the aforementioned decree.

After counting all the returns, the President, in company with two members of the Supreme Court, went to the central balcony of the Court House and proclaimed the results of the Sicilian plebiscite in the following words:

> On the proposition: The Sicilian people wishes Italy one and indivisible under Victor Emanuel, Constitutional King, and his legitimate heirs:
>
> The votes were: Yeas, four hundred and thirty-two thousand and fifty-three; Nays, six hundred and seventy-seven.

Of all of which the present record was prepared in triplicate by the Supreme Court in a body, two copies being for the Pro-Dictator and the third being kept in the archives of this Supreme Court of Justice, together with all the original records indicated above.

Closed on the aforementioned date at 2 o'clock P. M.

Pasquale Calvi, President.

Francesco Calcagno, Attorney-General; Pietro Cirino, Vincenzo Errante, Salvatore Schiavo, Antonio Giaconia,

Giaconia, Giuseppe Pulese, Giuseppe Vinci Orlando, Vincenzo Cacioppo, Antonino Ferro, Cirino Caruso, vicecancelliere.

*Il consigliere di Luogotenenza pel Dicastero di grazia e giustizia,*

FILIPPO ORLANDO.

Giuseppe Pulese, Giuseppe Vinci Orlando, Vincenzo Cacioppo, Antonio Ferro, Cirino Caruso, Vice-Chancelor.

*Counselor of Lieutenancy of the Department of Grace and Justice,*

FILIPPO ORLANDO.

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## *Presentation of the Plebiscite of Naples to Victor Emanuel. November 7, 1860* [1]

*Alle ore undici, questa mane, la Maestà del Re Vittorio Emanuele, nella gran sala del Trono, circondato dai grandi dignitari della Corona, dal suo stato maggiore, e con S. E. il cav. Carlo Luigi Farini, suo ministro di Stato, ha ricevuto il Dittatore generale Garibaldi e l'attual Ministero di Stato. Il Dittatore si è avanzato verso il real Trono, ed il ministro dell'interno e polizia signor Raffaele Conforti ha pronunziato queste parole:*

SIRE!

" Il popolo napolitano, raccolto nei comizi, ad immensa maggioranza vi ha proclamato suo Re. Nove milioni d'Italiani si uniscono alle altre provincie rette dalla Maestà Vostra con tanta sapienza, e verificano la vostra solenne promessa, che l'Italia dev' essere degl'Italiani."

Al che la Maestà Sua si è degnata rispondere con brevi parole, calde di nobili e generosi sensi italiani. Dopo

*At 11 o'clock this morning His Majesty King Victor Emanuel, in the great Hall of the Throne, surrounded by the great dignitaries of the Crown, by his general staff, and by H. E. Cav. Carlo Luigi Farini, his Minister of State, received the Dictator General Garibaldi and the Minister of State in Office. The Dictator advanced toward the royal throne and the Minister of the Interior and Police, Sig. Raffaele Conforti, spoke the following words:*

SIRE:

" The Neapolitan people, gathered in assemblies, have by an immense majority proclaimed you their King. Nine million Italians unite with the other provinces ruled by Your Majesty with so much wisdom, and verify your solemn promise that Italy is to belong to the Italians."

To which His Majesty deigned to reply in brief words, warm with noble and generous Italian meaning. After

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[1] *Le Assemblee,* vol. 11, p. 655.

di ciò è stato rogato e sottoscritto nelle debite forme l'atto solenne di unione.

Erano presenti a questa solennità, oltre al Dittatore ed ai ministri coi direttori del Ministero, il sindaco coi rappresentanti del Municipio di Napoli, i grandi uffiziali della Corona, il tenente generale comandante della Guardia nazionale col generale comandante di quella della provincie di Napoli e coi loro stati maggiori, il Consiglio di Stato, la Corte Suprema di giustizia, i capi della Gran Corte de'conti, della Gran Corte civile e della Gran Corte criminale, il vicepresidente del Consiglio generale di pubblica istruzione, ecc.

this the solemn act of union was drawn up and signed.

This solemnity was attended by the Dictator and the Ministers together with the Chiefs of Division of the Ministry, besides the representatives of the Municipality of Naples, the high officers of the Crown, the Lieutenant General in command of the National Guard together with the General in Command of the National Guard of the Province of Naples and their general staffs, the Council of State, the Supreme Court of Justice, the heads of the High Court of Accounts, of the High Civil Court, and of the High Criminal Court, the Vice-President of the General Board of Public Instruction, etc.

## *Royal Proclamation Accepting the Vote of the Neapolitan and Sicilian Peoples. November* 7, 1860 [1]

Il suffragio universale mi dà la sovrana potestà di queste nobili provincie.

Accetto quest'altro decreto della volontà cazionale, non per ambizione di regno, ma per coscienza d'italiano.

Crescono i miei, crescono i doveri di tutti gli Italiani. Sono più che mai necessarie la sincera concordia e la costante abnegazione. Tutti i partiti debbono inchinarsi dinnanzi alla Maestà dell'Italia che Dio solleva.

. . . . . .

The dictum of universal suffrage confers upon me the sovereign power over these noble provinces.

I accept this further decree of the national will, not out of ambition to rule, but on my conscience as an Italian.

My own duties and those of all Italians are growing. It is more than ever necessary that sincere concord and constant self-denial should prevail. All parties must bow to the majesty of Italy, which God is lifting up.

. . . . .

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[1] *Le Assemblee,* vol. ii, p. 655.

All'Europa dobbiamo addimostrare che, se l'irresistibile forza degli eventi superò le convenzioni fondate nelle secolari sventure d'Italia, noi sappiamo ristorare, nella nazione unita, l'impero di quegli immutabili dommi senza de'quali ogni società è inferma, ogni autorità combattuta ed incerta.

Napoli, 7 novembre 1860.
VITTORIO EMMANUELE.

We must demonstrate to Europe that if the irresistible force of events overcame the conventions established during the centuries of misfortunes of Italy, we know how to restore, in the united Nation, the prevalence of those immutable dogmas without which any society is weak and any authority disputed and uncertain.

Naples, November 7, 1860.
VICTOR EMANUEL.

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### *Proclamation of Victor Emanuel to the People of Sicily on Entering Palermo. December* 1, 1860[1]

Popoli della Sicilia!

Coll'animo profondamente commosso io metto il piede in quest'Isola illustre che già, quasi augurio dei presenti destini d'Italia, ebbe per Principe uno degli Avi miei che a'giorni nostri elesse a suo Re il mio rimpianto fratello; e che oggi mi chiama con unanime suffragio a stendere su di essa i benefizi del viver libero e dell' unità nazionale.

. . . . .

Palermo, 1° dicembre 1860.
VITTORIO EMMANUELE.
G. B. Cassinis.

Peoples of Sicily!

With my soul deeply stirred I set foot on this illustrious Island, which, as it were presaging the present destinies of Italy, had a Prince who was one of my ancestors and which, in our own day, elected my lamented brother. Today it calls me by unanimous vote to extend to it the benefits of free existence and national unity.

. . . . . .

Palermo, December 1, 1860.
VICTOR EMANUEL.
G. B. Cassinis.

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[1] *Le Assemblee,* vol. 15, p. 1032.

## *Formal Minute of the Acceptance of the Sicilian Plebiscite by King Victor Emanuel. December* 2, 1860[1]

L'anno mille ottocento sessanta, il dì due dicembre alle ore 11 A. M. in Palermo nel Real Palazzo e nella sala del Tesoro, alla presenza di S. M. il Re Vittorio Emanuele II, assistendo al presente atto il ministro di grazia e giustizia e degli affari ecclesiastici, cav. Giovan Battista Cassinis, S. E. il ministro della guerra, generale d'armata Manfredo Fanti, gli aiutanti di campo, gli officiali di ordinanza e le altre persone della Casa e del seguito di S. M., l'arcivescovo di Palermo, il giudice della Monarchia, la Magistratura ed il Municipio di Palermo ed altri funzionari civili e militari, è introdotto il signor Antonio Mordini, deputato al Parlamento Nazionale, Prodittatore per il generale Garibaldi in Sicilia, il quale a nome del detto Generale presenta alla M. S. il risultamento del Plebiscito, con cui il popolo dell'Isola di Sicilia, convocato in comizi il di 21 ottobre per suffragio universale diretto, ha dichiarato con voti affermativi quattrocentotrentaduemila e cinquantatre, contro voti negativi seicentosessantasette di

*Volere l'Italia una ed indivisibile con Vittorio Emanuele suo Re Costituzionale e coi suoi legittimi discendenti:*

Sua Maestà il Re, nell'accettare per sè e pei suoi legittimi discendenti il

At 11 o'clock A. M. on the 2d day of December of the year 1860, at Palermo, in the Royal Palace and in the Treasury hall, in the presence of H. M. King Victor Emanuel II, the present act being witnessed by Sig. Giovan Battista Cassinis, Minister of Grace and Justice and Ecclesiastical Affairs; His Excellency Naval General Manfredo Fanti, Minister of War; the aides-de-camp, the orderly officers, and the other members of the Household and suite of His Majesty; the Archbishop of Palermo, the Judge of the Monarchy, the Magistracy and the Municipality of Palermo, and other civil and military officials, there was introduced Sig. Antonio Mordini, deputy to the National Parliament, Pro-Dictator for General Garibaldi in Sicily, who, on behalf of the said General, presented to His Majesty the result of the plebiscite, whereby the people of the Island of Sicily, called together in popular assemblies on October 21 for the purpose of exercising the right of direct universal suffrage, declared, with 432,053 affirmative as against 677 negative votes, that they

*Wished Italy one and indivisible under Victor Emanuel, its Constitutional King, and under his legitimate descendants.*

His Majesty the King, in accepting for himself and for his legitimate de-

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[1] *Le Assemblee,* vol. 15, p. 1030.

risultamento del plebiscito, esprime quanto gli sia grato che l'Isola di Sicilia, celebre per patrie tradizioni, già avvinta alla sua Casa per antiche e recenti memorie, ora si unisca alla libera famiglia italiana e concorra così alla grande opera dell'unificazione della indipendenza nazionale.

Di tutto ciò il ministro di grazia e giustizia d'ordine del Re ha rogato il presente processo verbale, sottoscritto da Sua Maestà, dal Prodittatore di Sicilia, dai segretari della Prodittatura, dall'Arcivescovo di Palermo, da Monsignor giudice della Monarchia, dal Presidente della Cassazione e Suprema Corte di giustizia, dal Presidente della Gran Corte dei conti, dal Presidente della Gran Corte civile, dal Presidente e dal Procuratore Generale della Gran Corte criminale, dal Presidente e Procuratore generale del Tribunale civile, dal Pretore, dal Governatore della Provincia, dall' Ispettore generale e comandante della Guardia nazionale, controsegnato dal ministro della guerra e dal ministro di grazia e giustizia, e munito del gran sigillo dello Stato.

L'originale del presente processo verbale sarà depositato e conservato nell'Archivio generale del Regno.

VITTORIO EMANUELE.

Antonio Mordini
Enrico Parisi
Nicolò Fabrizi

scendants the result of the plebiscite, expressed his gratification that the Island of Sicily, celebrated for its patriotic traditions and already bound to his Household by ancient and recent memories, now joined the free Italian family and thus contributed to the great work of the unification of the national independence.

Of all of which the Minister of Grace and Justice, by order of the King, drew up the present formal minute, signed by His Majesty, by the Pro-Dictator of Sicily, by the secretaries of the Pro-Dictator, by the Archbishop of Palermo, by the Honorable Judge of the Monarchy, by the President of the Court of Cassation and the Supreme Court of Justice, by the President of the High Court of Accounts, by the President of the High Civil Court, by the President and the Solicitor General of the High Criminal Court, by the President and the Solicitor General of the Civil Tribunal, by the Praetor, by the Governor-General of the Province, and by the Inspector-General and Commander of the National Guard, being countersigned by the Minister of War and by the Minister of Grace and Justice, with the great seal of the State affixed.

The original of the present record shall be deposited and preserved in the general archives of the Kingdom.

VICTOR EMANUEL.

Antonio Mordini.
Enrico Parisi.
Nicolò Fabrizi.

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|---|---|
| Gregorio Ugdulena | Gregorio Ugdulena. |
| Domenico Piraino | Domenico Piraino. |
| Domenico Peranni | Domenico Peranni. |
| Giorgio Tamajo | Giorgio Tamajo. |
| Giovan Battista Fauché | Giovan Battista Fauché. |
| Paolo Orlando | Paolo Orlando. |
| Pietro Scrofani | Pietro Scrofani. |
| Giovan Battista Naselli, *arcivescovo di Palermo* | Giovan Battista Naselli, *Archbishop of Palermo.* |
| Pietro Cali, *presidente della Gran Corte civile* | Pietro Cali, *President of the High Civil Court.* |
| Domenico Arista, *presidente della Gran Corte criminale* | Domenico Arista, *President of the High Criminal Court.* |
| Gaetano Melli, *procuratore generale della Gran Corte criminale* | Gaetano Melli, *Solicitor General of the High Criminal Court.* |
| Antonio Garajo, *giudice di Corte criminale funzionante da presidente del Tribunale civile* | Antonio Garajo, *Judge of the Criminal Court acting as President of the Civil Tribunal.* |
| Francesco Nobile, *Regio procuratore presso il Tribunale civile* | Francesco Nobile, *Royal Solicitor before the Civil Tribunal.* |
| Canonico Cirino Rinaldi, *giudice della Monarchia ed Apostolica Legazia* | Canonico Girino Rineldi, *Judge of the Monarchy and Apostolic Legate.* |
| Pasquale Calvi, *presidente della Suprema Corte di giustizia* | Pasquale Calvi, *President of the Supreme Court of Justice.* |
| Pietro Scrofani, *presidente della Gran Corte dei conti.* | Pietro Scrofani, *President of the High Court of Accounts.* |
| Giulio Benso, *duca di Verdura, Pretore di Palermo* | Giulio Benso, *Duke of Verdura, Praetor of Palermo.* |
| Duca di Cesarò, *governatore della provincia di Palermo* | Duke of Cesarò, *Governor of the Province of Palermo.* |
| Amato Paulet, *ispettore generale* | Amato Paulet, *Inspector General.* |
| Nicolò Turrisi-Colonna, *comandante della Guardia nazionale.* | Nicolò Turrisi-Colonna, *Commander of the National Guard.* |
| *Il ministro della guerra,* Manfredo Fanti. | *Minister of War,* Manfredo Fanti. |
| *Il ministro di grazia e giustizia e degli affari ecclesiastici*<br>G. B. Cassinis. | *Minister of Grace and Justice and of Ecclesiastical Affairs*<br>G. B. Cassinis. |

## *Royal Decree of Annexation of the Neapolitan Provinces to the Kingdom of Italy. December* 17, 1860 [1]

VITTORIO EMANUELE II, ECC.

Visto il Plebiscito sottoposto al suffragio universale e diretto del Popolo delle Provincie Napoletane convocato in Comizi il 21 scorso Ottobre;

Visto il Processo Verbale di presentazione e di accettazione di tale Plebiscito, seguito in Napoli il giorno 8 scorso Novembre;

Vista la Legge del 3 corrente mese con cui il Governo del Re è autorizato ad accettare e stabilire per Decreti Reali l'annessione allo Stato di quelle Provincie dell'Italia Centrale e Meridionale, nelle quali si manifesti liberamente per suffragio diretto universale la volontà di far parte integrante della Nostra Monarchia Costituzionale;

Udito il Consiglio dei Ministri;

Abbiamo decretato e decretiamo:

ART. 1. Le Provincie Napoletane faranno parte integrante dello Stato Italiano dalla data del presente Decreto.

ART. 2. L'articolo 82 dello Statuto, concui è stabilito che fino alla prima riunione delle due Camere il Governo provvederà al pubblico servizio con Sovrane disposizioni, sarà applicabile alle Provincie suddette sino alla riunione del Parlamento Nazionale, fermi, rimanendo i poteri prima d'ora da Noi conferiti al Nos-

VICTOR EMANUEL II, ETC.,

In view of the plebiscite submitted to the universal and direct suffrage of the people of the Neapolitan provinces convoked in assemblies on the 21st of October last;

In view of the record of presentation and acceptance of said plebiscite, occurring at Naples on November 8 last;

In view of the law of the 3d instant, authorizing the King's Government to accept and establish by royal decrees the annexation to the State of those provinces of Central and Southern Italy in which the desire is freely manifested by direct universal suffrage to constitute an integral part of our Constitutional Monarchy;

And after hearing the Council of Ministers,

Have decreed and do decree:

ARTICLE 1. The Neapolitan provinces shall form an integral part of the Italian State from the date of the present decree.

ART. 2. Article 82 of the Constitution, prescribing that until the first meeting of the two Chambers the Government shall provide for the public service by means of sovereign measures, shall be applicable to the aforementioned provinces until the meeting of the National Parliament, the powers hitherto conferred by us

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[1] *Le Assemblee,* vol. 11, p. 659.

tro Luogotenente Generale delle Provincie Napoletane.

Ordiniamo che il presente Decreto, munito del Sigillo dello Stato, sia inserto nella Raccolta degli Atti del Governo e pubblicato nelle Provincie suddette, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Napoli, addì 17 dicembre 1860.

VITTORIO EMANUELE.

G. B. CASSINIS — M. FANTI — C. CAVOUR — M. MINGHETTI — F. S. VEGEZZI — S. JACINI — T. MAMIANI — T. CORSI.

upon our Lieutenant General of the Neapolitan provinces remaining intact.

We order that the present decree, with the seal of State affixed, be inserted in the Collection of Acts of the Government and published in the aforementioned provinces, commanding all concerned to observe it and cause it to be observed.

Given at Naples, December 17, 1860.

VICTOR EMANUEL.

G. B. CASSINIS — M. FANTI — C. CAVOUR — M. MINGHETTI — F. S. VEGEZZI — S. JACINI — T. MAMIANI — T. CORSI.

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## UMBRIA AND THE MARCHES, 1860

### *Appointment of Lorenzo Valerio as Commissioner General Extraordinary for the Provinces of the Marches. September* 12, 1860 [1]

VITTORIO EMANUELE II

RE DI SARDEGNA, DI CIPRO E DI GERUSALEMME, DUCA DI SAVOIA E DI GENOVA, PRINCIPE DI PIEMONTE, ECC. ECC. ECC.

Sulla proposta del Nostro Ministro segretario di Stato per gli affari dell'interno;

Sentito il Consiglio dei ministri;

Abbiamo ordinato e ordiniamo quanto segue:

ART. 1. Il signor Lorenzo Valerio, governatore della provincia di

VICTOR EMANUEL II

KING OF SARDINIA, OF CYPRUS, OF JERUSALEM, DUKE OF SAVOY AND OF GENOA, PRINCE OF PIEDMONT, ETC., ETC., ETC.

At the proposal of our Minister, Secretary of State for Internal Affairs, having heard the Council of Ministers.

We have ordered and we do order as follows:

ARTICLE 1. Signor Lorenzo Valerio, Governor of the Province of

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[1] *Le Assemblee,* vol. 1, p. 771.

Como, è nominato Nostro Commissario generale straordinario nelle provincie delle Marche.

Art. 2. Tutte le autorità nelle provincie delle Marche sono poste sotto l'immediata dipendenza del Nostro Commissario straordinario.

Art. 3. Il predetto Nostro Commissario dipenderà dal Nostro ministro dell'interno.

. . . . .

*Dato a Torino, addì* 12 *settembre* 1860

VITTORIO EMANUELE.
Farini.

Como, is appointed our Commissioner General Extraordinary in the Provinces of the Marches.

Art. 2. All the authority of the Provinces of the Marches is placed under the immediate control of our Commissioner Extraordinary.

Art. 3. The aforesaid Commissioner will be under Our Minister of the Interior.

. . . . .

*Given at Turin on the* 12*th of September,* 1860

VICTOR EMANUEL.
Farini.

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## *Appointment of Gioacchino Pepoli as Commissioner General for Umbria. September* 12, 1860 [1]

VITTORIO EMANUEL II

RE DI SARDEGNA, DI CIPRO E DI GERUSALEMME, DUCA DI SAVOIA E DI GENOVA, PRINCIPE DI PIEMONTE, ECC. ECC. ECC.

Sulla proposta del ministro segretario di Stato per gli affari dell'interno;

Sentito il Consiglio dei ministri;

Abbiamo ordinato e ordiniamo quanto segue:

Art. 1. Il marchese Gioacchino Napoleone Pepoli, deputato al Parlamento, è nominato Nostro Commissario generale straordinario nelle provincie dell'Umbria.

Art. 2. Tutte le autorità delle

VICTOR EMANUEL II

KING OF SARDINIA, OF CYPRUS, OF JERUSALEM, DUKE OF SAVOY AND OF GENOA, PRINCE OF PIEDMONT, ETC., ETC., ETC.

On the proposal of the minister Secretary of State of Affairs of the Interior:

Having heard the council of ministers:

We have ordered and we order, as follows:

Article 1. The Marquis Gioacchino Napoleone Pepoli, delegate to Parliament, is appointed our Commissioner General Extraordinary in the Provinces of Umbria.

Art. 2. All the authorities of the

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[1] *Le Assemblee,* vol. 1, p. 771.

provincie dell'Umbria sono poste sotto l'immediata dipendenza del Nostro Commissario straordinario.

ART. 3. Il predetto Nostro Commissario dipenderà dal Nostro ministro dell'interno.

. . . . .

Dato a Torino, addì 12 settembre 1860.

VITTORIO EMANUELE.

FARINI.

provinces of Umbria are placed under the immediate control of our Commissioner Extraordinary.

ART. 3. The aforesaid Commissioner shall be under our Minister of the Interior.

. . . . .

Given at Turin, September 12th, 1860.

VICTOR EMANUEL.

FARINI.

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## *Convocation of the Popular Assemblies of the Provinces of the Marches to Vote on the Question of Union with the Constitutional Kingdom of Italy. October* 21, 1860 [1]

IN NOME DI S. M. IL RE VITTORIO EMANUELE II

### IL GOVERNATORE DELLA PROVINCIA DI COMO

R. COMMISSARIO GENERALE STRAORDINARIO NELLE PROVINCIE DELLE MARCHE.

Considerando che i Popoli delle Marche da oltre un decennio con ogni maniera di manifestazioni protestarono contro la mala signoria clericale che protetta da forze straniere li opprimeva;

Considerando che la volontà di questi Popoli di far parte della Grande Famiglia Italiana fu nobilmente attestata dai volontari accorsi in gran numero nell'anno passato tra le file del Regio Esercito a combattere la guerra dell'Indipendenza, e da quelli che nell'Italia Meridionale combat-

IN THE NAME OF HIS MAJESTY, KING VICTOR EMANUEL II

### THE GOVERNOR OF THE PROVINCE OF COMO

THE ROYAL COMMISSIONER GENERAL EXTRAORDINARY IN THE PROVINCES OF THE MARCHES.

Considering that the people of the Marches for more than a decade have by every kind of manifestation protested against the evil clerical government which, aided by foreign power has oppressed them;

Considering that the will of these people to form a part in the Great Italian Family was nobly attested by volunteers, gathered in great numbers in the past year to the ranks of the royal army, to fight the war of independence, and by those who in Central Italy still fight against a Mon-

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[1] *Le Assemblee,* vol. 1, p. 773.

tono ancora contro una Monarchia più volte spergiura ed alleata ai nemici d'Italia;

Considerando che il giusto malcontento popolare irruppe nel mese di giugno del 1859 e fu compresso da mercenari soldati straniere; che, aggravati i mali, e resa insopportabile la quotidiana offesa al diritto di cittadini ed alla dignità d'uomini, questi Popoli insorsero di nuovo nel settembre di quest'anno; e che il grido degl' insorti proclamò l'una volta e l'altra l'annessione alla Monarchia Costituzionale ed Italiana di Vittorio Emanuele II;

Considerando che i Municipi ed ogni ordine di cittadini di queste Provincie con Deputazioni e Indirizzi, invocarono il soccorso delle armi del Re Vittorio Emanuele, esprimendo fin d'allora la decisa volontà di appartenere alla sua gloriosa Monarchia; la quale volontà poi coll'universale entusiasmo confermarono al Re stesso nel suo passaggio per queste Provincie;

Considerando il diritto imprescrittibile di questi Popoli alla nazionalità italiana;

Considerando che tutti i Popoli dell'Italia aspirano con meravigliosa concordia a costituire una grande Nazione in uno Stato solo, forte, libero e civile;

Considerando che gli Stati più civili d'Europa o si fondano sulla larga base del voto universale o ne riconoscono il diritto; e che questo voto, espresso nell'Emilia e nella Toscana, condusse ad un assetto politico che la Nazione

archy many times perjured and allied with the enemies of Italy;

Considering that the just popular discontent broke out in the month of June, 1859, and was suppressed by mercenary foreign soldiers; that the evils being aggravated and made insupportable by daily offences against the rights of the citizens and the dignity of manhood, these people rose up again in September of this year; and that the cry of the insurgents again and again called for annexation to the Constitutional and Italian Monarchy of Victor Emanuel II;

Considering that the Municipalities and every order of citizens of these Provinces, with deputations and addresses, have invoked the help of the armies of King Victor Emanuel, expressing even from the beginning the decisive wish to belong to his glorious Monarchy; which wish they, with universal enthusiasm, confirmed to the King himself in his passage through these provinces;

Considering the imprescriptible right of these people to Italian nationality;

Considering that all the people of Italy aspire with marvelous accord to the establishment of a great Nation in a single state, strong, free and civilized;

Considering that the most civilized states of Europe are founded either upon a broad basis of universal suffrage or recognize its right; and that this suffrage, expressed in Emilia and in Tuscany, led to a political adjust-intera è preparata in ogni evento a mantenere e difendere;

Considerando che giova constatare regolarmente la ferma volontà di questi Popoli, in modo che assicuri la verità, la libertà e la sincerità del voto;

In virtù del potere conferitigli col Decreto Reale 12 settembre 1860.

DECRETA:

Art. 1. Il Popolo delle Provincie delle Marche è convocato pei giorni 4 e 5 del novembre prossimo in Comizi per statuire con Plebiscito sulla seguente domanda: *Volete far parte della Monarchia Costituzionale del Re* VITTORIO EMANUELE II?

Il voto sarà espresso per *Sì* o per *No* col mezzo di un bollettino scritto o stampato ed a scrutinio secreto.

Art. 2. Sono chiamati a dare il voto tutti i cittadini che hanno compiuti i 21 anni, domiciliati nel Comune, e che si trovino nel godimento dei diritti civili.

Sono esclusi dal dare il voto tutti coloro, i quali sono colpiti da condanna per imputazione di frode, di furto, di bancarotta con falsità, come pure coloro i quali per sentenza sono dichiarati falliti.

Art. 3. Dalle Commissioni municipali, definitive o provvisorie, saranno in ciascun Comune formate le liste dei votanti a termini dell'articolo precedente, le quali verranno pubbli-

ment which the entire nation is prepared to maintain and defend in any event;

Considering that it is of advantage to make known in formal fashion the firm determination of these people, so that the truth, the liberty and the sincerity of the vote may be assured;

By virtue of the power conferred upon him by the Royal decree of September 12th, 1860.

DECREES:

Article 1. The people of the Provinces of the Marches are convoked to meet on the 4th and 5th days of November next to decide by plebiscite the following question: "*Do you wish to form a part of the Constitutional Monarchy of King* VICTOR EMANUEL II?"

The vote shall be expressed by "*yes*" or "*no*" by means of a written or printed ballot and by secret ballot.

Art. 2. All those citizens who have completed their 21st year, who are domiciled in the community and enjoy civil rights are summoned to vote.

All those are excluded from voting who have been condemned for fraudulent bankruptcy and also those who by sentence have been declared bankrupt.

Art. 3. In each commune the Municipal Commission, whether permanent or provisional, shall draw up the list of those entitled to vote by the terms of the preceding article, cate ed affisse nei luoghi soliti pel giorno 31 del corrente mese.

I reclami contro le dette liste saranno prodotti fra le ventiquattro ore seguenti nanti la rispettiva Commissione municipale, la quale deciderà definitivamente non più tardi del 2 novembre successivo.

Art. 4. Coloro che, non essendo iscritti sulla lista del loro Comune faranno constare di avere le condizioni contemplate negli articoli precedenti, saranno ammessi alla votazione.

Art. 5. Lo scrutinio sarà aperto nel Capoluogo di ciascun Comune coll'assistenza della Commissione municipale, ed avrà principio alle ore 9 del mattino e terminerà alle 5 della sera.

Ad un tale effetto saranno per cura di ciascuna Commissione municipale distribuiti prima e durante la votazione bollettini in istampa esprimenti un *Sì* ed un *No,* di cui i cittadini potranno valersi per deporre il loro voto nella urna che verrà per quest'oggetto disposta nella sala dell'adunanza.

Art. 6. Nei Comuni che hanno più di 1000 elettori, le Commissioni municipali potranno per comodo dei votanti dividerli in sezioni non minori di 500.

In tal caso le sezioni saranno presiedute da uno dei membri della Commissione municipale, assistito da quattro cittadini designati preventivamente dalla Commissione municipale medesima.

which list shall be published and posted in the usual places on the 31st day of the present month.

Complaints against the said lists shall be made during the following twenty-four hours before the respective Municipal Commissions, which shall decide definitely not later than the 2nd of November following.

Art. 4. Those who, not being registered on the lists of their commune, have established the qualifications stated in the preceding articles, shall be admitted to the polls.

Art. 5. The polls shall be opened in the headquarters of each commune in the presence of the Municipal Commission, and shall open at 9 o'clock in the morning and shall close at 5 in the evening.

For this purpose there shall be distributed, under the supervision of each municipal commission, before and during the voting, printed ballots, expressing a " yes " or " no," which each citizen can make use of to put his vote in the urn, which shall be placed for this purpose in the Assembly Hall.

Art. 6. In the communes having more than 1000 electors, the municipal commissions, for the convenience of the voters, may divide themselves into sections of not less than 500.

In such case, the sections shall be presided over by one of the members of the Municipal Commission, assisted by four citizens chosen exclusively by the same Municipal Commission.

Tre almeno dei membri delle Commissioni anzidette si troveranno sempre presenti alla votazione. Essi potranno farsi assistere da segretari da loro chiamati.

Il Presidente è incaricato della polizia dell'Adunanza e di prendere le necessarie precauzioni onde assicurare l'ordine e la tranquillità. Avrà a sua disposizione la Guardia nazionale.

Nessuna forza armata può essere collocata, senza la richiesta del Presidente, nella sala delle votazioni.

Le Autorità civili ed i Comandanti militari sono tenuti ad obbedire ad ogni sua richiesta.

Art. 7. Il votante, prima di deporre la sua scheda nell'urna, dovrà dichiarare il suo nome, che verrà notato da uno dei membri componenti l'Uffizio o dal segretario.

Art. 8. Alle ore 5 pomeridiane del giorno 4, l'urna sarà pubblicamente suggellata dalla Commissione che avrà presieduto all'adunanza, la quale e responsabile della sua custodia e della integrità dei sigilli.

Art. 9. Chiuso il scrutinio del giorno 5, le urne suggellate saranno portate da due almeno dei membri della Commissione suddetta e consegnate al rispettivo Giusdiscente, il quale insieme con essi ne farà pubblicamente lo spoglio.

Art. 10. I Giusdicenti trasmetteranno immediatamente il processo verbale, firmato da loro e dai membri presenti delle Commissioni municipali, constatante il risultato della votazione,

Three members at least of the aforesaid commissions shall always be present at the voting. These may be assisted by secretaries appointed by them.

The President is charged with maintaining order in the Assembly and with taking the necessary precautions by which to secure order and quiet. He shall have the National Guard at his disposal. No armed force shall be called into the hall of voting except on demand of the President.

The civil authorities and the military commanders are bound to respond to all his requests.

Art. 7. The voter, before putting his ballot in the urn, must declare his name, which shall be noted by one of the members of the commission or by the secretary.

Art. 8. At 5 o'clock in the afternoon of the 4th, the urn shall be publicly sealed by the commission which has presided in the assembly, and which shall be responsible for the custody and the integrity of the seals.

Art. 9. When the vote of November 5th has been closed, the sealed urns shall be carried by at least two of the members of the aforesaid commission and consigned to the respective justice, who with these shall publicly count the votes.

Art. 10. The justices shall immediately give out the formal minute of proceedings signed by them and by the members of the municipal commission present, announcing the result of al Commissario della rispettiva Provincia.

ART. 11. Il giorno 9 i Presidenti dei Tribunali di prima istanza delle Provincie delle Marche, riuniti in Ancona sotto la Presidenza del Presidente del Tribunale d'appello di Macerata, ricevuti dai Commissari provinciali i processi verbali portanti i risultati parziali di cui all'articolo precedente, ne faranno lo spoglio generale in seduta pubblica, e lo rimetteranno al Regio Commissario generale straordinario.

Il presente Decreto sarà pubblicato ed inserto nella Raccolta ufficiale degli Atti del Regio Commissario generale straordinario, mandandosi a chiunque spetta di osservarlo e di farlo osservare.

Dato in Ancona, 21 ottobre 1860.

LORENZO VALERIO.

the voting to the Commissioner of the respective Province.

ART. 11. On the 9th, the President of the tribunals of the First Instance of the Provinces of the Marches, assembled at Ancona, under the presidency of the President of the Tribunal of Appeal of Marcerata, having received from the provincial commissions the formal minutes telling the partial results according to the preceding article, shall make a general count of the votes in a public session and shall transmit it to the Royal Commissioner General Extraordinary.

The present decree shall be published and inserted in the Official Records of Documents of the Royal Commissioner General Extraordinary, ordering all whom it may concern to obey it and to have it obeyed.

Given at Ancona, October 21st, 1860.

LORENZO VALERIO.

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## *Proclamation of the Royal Commissioner to the People of the Marches. October* 21, 1860 [1]

*Italiani delle Marche!*

Con Decreto d'oggi vi chiamo a determinare per votazione solenne la vostra sorte politica. Avrei desiderato di far precedere a questo atto l'organamento completo delle vostre Provincie, alle quali la natura diede tutto per farle prospere, e una domi-

*Italians of the Marches.*

In to-day's decree I call upon you to determine by solemn vote your political destiny. I should have wished that this act had been preceded by the complete organization of your provinces, to which nature gave everything to make them prosperous and

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[1] *Le Assemblee,* vol. 1, p. 776.

nazione ora fiacca, ora violenta, ingiusta sempre, tolse ogni cosa, e avrebbe rapito anche il libero ingegno e l'onore agli uomini, se orma di Dio si potesse cancellare. Ma omai gli avvenimenti si succedono con una rapidità ignota ed impossibile in altri tempi, ed al loro confronto le previsioni più sollecite divengono tarde. È trascorso poco più di un mese dacchè voi faceste pervenire al Re il grido del vostro dolore, e già foste non solo liberati ma rallegrati dalla vista del Liberatore. . . . Più fortunati di voi, altre Provincie sorelle vi precedettero nell'opera della Unificazione Italiana. Modena, Parma e le Romagne, e la Toscana eziandio, che pure aveva una signoria meno dura della vostra e tradizioni di autonomia di non picciolo conto, statuirono già da tempo come signore di sè; ed oggi stesso i Popoli dell'Italia Meridionale si raccolgono nei Comizi a stabilire non tanto il proprio quanto il destino dell'Italia. Or bene: io rompo gli indugi e vi chiamo a decidere.

Ma voi direte che la vostra intenzione è già manifesta.

Sì, è vero: voi avete già votato cogli sforzi tante volte ripetuti per torvi di dosso la mala signoria; avete votato cogli esilii, colle prigioni, colle torture d'ogni specie che avete sofferte, e coi patiboli che non avete temuti, col sangue dei vostri volontari, con gli applausi onde accoglieste il Re e l'Esercito: ma più di tutto coll'ordine mirabile che serbate in questo reggimento provvisorio, nel quale il solo

from which a power now weak, now violent, and always unjust, took away everything and would have stolen even the free spirit and honor of men, if it were possible to destroy God's work. But now events are following each other with a rapidity unknown and impossible in other times, and in their presence the quickest provisions become slow. Little more than a month has transpired since you made known to the King your cry of sorrow, and already you are not only freed but have rejoiced in the sight of your Liberator. . . . More fortunate than you, other sister provinces preceded you in the work of Italian unification — Modena, Parma, and Romagna, and Tuscany likewise, which had a government less harsh than yours and traditions of autonomy of no small account, decided sometime ago as their own masters; and the people of Central Italy are gathering to-day in assembly to establish not so much their own destiny as that of Italy. Now then, I end all delays and call on you to decide. But you will say that your intention is already manifested. Yes, it is true, you have already shown your wishes, by efforts often repeated, to get rid of evil government; you have shown your wish by exile, imprisonment, torture, by every kind of suffering, not even fearing the gallows; by the blood of your volunteers, by the applause with which you received the King and the Army; but more than all, by the wonderful order which you keep in this nome del Re fa l'autorità e la forza.

La vostra libertà è piena, e delitto o vendetta o intemperanza di parte non la contamina.

Tutto questo è vero. Ma, dopo aver ottenuto dalle Potenze che riconoscono ai Popoli il diritto di far la legge a sè stessi, egli è giusto che il Popolo lo eserciti anche coi modi solenni della votazione, e ch'egli usi di quelle forme che sono la guarentigia della libertà del voto. Alle Nazioni amiche la volontà degli Italiani deve mostrarsi aperta e indubitabile; alle Potenze ostili deve togliersi ogni pretesto o possibilità di dubbiezza.

Soffrite perciò che vi rammenti essere obbligo d'ogni buon cittadino il votare. Ma il voto è libero, pienamente libero; nè chi parla e regge in nome di Vittorio Emanuele II potrebbe mai tollerare una pressione fisica o morale che lo menomasse. I termini del paragone sono ormai evidenti. O esser parte di una grande Nazione o Provincia di un piccolo Stato. O commilitoni di Vittorio Emanuele II colle glorie di Palestro e di San Martino, o soldati di Lamoricière e suoi pari coi loro nomi di scherno. O eguali avanti alle leggi che i vostri Deputati concorreranno a formare, e quindi reggitori di voi medesimi, o servi all'arbitrio d'una classe privilegiata. Dipende da voi appartenere ad uno Stato civile che vi dia la giustizia, la sicurezza, l'istruzione; avere industrie e commerci; o

Provisional Government, to which only the name of the King gives authority and force.

Your liberty is complete and no crime nor revenge nor intemperance of parties contaminate it.

All this is true, but after having obtained from the Powers the recognition that in the peoples themselves lies the right to make their own laws, it is right that the people exercise it in a serious manner by voting, and that they use those forms which are the guarantee of a free vote. To friendly nations the will of the Italians must show itself to be open and undoubted; from hostile Powers it must take away any pretext or possibility of doubt.

Permit me to remind you then that it is the duty of every good citizen to vote. But the vote is free, absolutely free; nor can he who speaks and rules in the name of Victor Emanuel II ever tolerate a physical or moral pressure that would lessen this. The terms of the choice are now clear. Either to be part of a great nation or provinces of a small state. Either fellow soldiers of Victor Emanuel II with the glories of Palestro and of San Martino, or soldiers of Lamoricière and his like with their terms of scorn. Either equal before all laws which your deputies worked together to form, and so rulers of yourselves, or slaves to the whims of a privileged class. It depends upon you whether you belong to a civilized State which gives you justice, safety and instruction, industries and commerce, or nulla di tutto questo, come non aveste nulla sinora. A voi la sentenza.

. . . . .

VIVA L'ITALIA!

Dato ad Ancona, 21 ottobre 1860.

LORENZO VALERIO.

whether you will have none of all this as you have not had it hitherto.

. . . . .

LONG LIVE ITALY!

Given at Ancona, October 21st, 1860.

LORENZO VALERIO.

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## *Convocation of the Popular Assemblies of the Provinces of Umbria. October* 21, 1860 [1]

### IL REGIO COMMISSARIO GENERALE STRAORDINARIO PER LE PROVINCIE DELL'UMBRIA.

In virtù dei pieni poteri conferitigli da Sua Maestà il Re VITTORIO EMANUELE II;

Considerando che questi popolazioni insistono con pubbliche solenni dimostrazioni per essere chiamate a deliberare sulle proprie sorti;

Considerando ch'è urgente procurare ad esse uno stabile e legale assetto;

Considerando che la Patria domanda che i cittadini di queste Provincie col libero loro voto mostrino all'Europa se intendano consacrare le aspirazioni di Unità Monarchica Costituzionale sotto lo scettro di VITTORIO EMANUELE II, la di cui lealtà e coraggio hanno disciplinata la revoluzione e ristaurato in Italia l'ordine morale;

DECRETA:

ART. 1. Il Popolo di queste Provincie è solennemente convocato nei

### THE ROYAL COMMISSIONER GENERAL EXTRAORDINARY IN THE PROVINCES OF UMBRIA.

By virtue of the full power conferred upon him by His Majesty King VICTOR EMANUEL II;

Considering that these people by solemn public demonstrations insist upon being called to deliberate on their own fate;

Considering that it is urgent to procure for this a stable and legal basis;

Considering that the country demands that the citizens of these provinces shall, by their free vote, show to Europe whether or not they mean to turn their aspirations to a United Constitutional Monarchy, under the sceptre of VICTOR EMANUEL II, whose loyalty and courage have held the revolution within bounds and restored moral order in Italy;

DECREES:

ARTICLE 1. The people of these provinces are solemnly called in popu-

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[1] *Le Assemblee,* vol. 1, p. 779.

Comizi i giorni 4 e 5 novembre 1860 per dichiarare la sua volontà sulla seguente proposta: *Volete far parte della Monarchia Costituzionale del Re* VITTORIO EMANUELE?

ART. 2. Sono chiamati a dare il voto tutti i cittadini che hanno compiuto il ventunesimo anno e che godono dei diritti civili.

ART. 3. I Sindaci o Capi del Comune prima del 4 novembre noteranno nelle liste già esistenti degli elettori comunali i nomi di quei cittadini che non vi sono compresi a che da sei mesi hanno domicilio nel Comune o che vi si trovano per ragioni di impiego.[1]

. . . . .

ART. 15. Il giorno 7 novembre il Tribunale di prima istanza residente in Perugia, ricevuti dai Commissari Regi di queste Provincie i processi verbali portanti i risultati degli scrutinii parziali, ne farà lo spoglio generale in seduta pubblica e li trasmetterà al Regio Commissariato generale.

ART. 16. Le leggi e le discipline che regolano le convocazioni elettorali pei Consigli comunali e provinciali a fine di garantire l'ordine e la libertà del voto, sono applicate alle convocazioni presenti.

. . . . .

Dato in Perugia dal Palazzo del Governo, questo giorno 21 ottobre 1860.

G. N. PEPOLI,
A. VIVIANI.

lar assemblies on the 4th and 5th days of November, 1860, to declare their wishes on the following proposal: "*Do you wish to form a part of the Constitutional Monarchy of King* VICTOR EMANUEL?"

ART. 2. All the citizens who have completed their twenty-first year and who enjoy civil rights are called upon to vote.

ART. 3. The Syndics or Heads of the Commune before November 4th shall enter in the lists already existing of communal electors the names of those citizens who have not been included, or who have been domiciled for six months in the Commune, or who are there because of employment.

. . . . .

ART. 15. That on the 7th day of November the Tribunal of the First Instance sitting in Perugia, having received from the Royal Commissioners of these provinces the formal minutes containing the results of the partial vote shall make the general count of votes at a public meeting, and shall transmit them to the Royal Commissioner.

ART. 16. That the rules and regulations for guaranteeing an orderly and free vote which govern the electoral meetings of the communal and provincial Councils, are applicable to the present meetings.

. . . . .

Given in Perugia at the Governor's Palace, this 21st day of October, 1860.

G. N. PEPOLI,
A. VIVIANI.

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[1] The omitted articles providing for the method of voting are identical with those decreed for the Marches, see *ante*, p. 657.

## *Formal Minute of the Result of the Plebiscite in the Provinces of the Marches. November* 9, 1860[1]

### IN NOME DI DIO

Nella grande Aula del Palazzo municipale si è riunita in seduta pubblica la Corte di Giustizia delle Provincie delle Marche, specialmente costituita per l'effetto dell'articolo 11 del Decreto emanato il 21 ottobre prossimo passato da S. E. il signor Regio Commissario generale straordinario nelle Provincie medesime, e composta degli Ill. mi ed Ecc. mi Signori:

Avv. Domenico Pantaleoni, *Presidente del Tribunale d'Appello di Macerata.*

Avv. Filippo Bonacci, *Presidente del Tribunale di Ancona.*

Avv. Andrea Cattabeni, *Presidente del Tribunale di Pesaro*

Avv. Federico Monti, *ff. di Presidente del Tribunale di Fermo*

Avv. Luigi Alippi, *ff. di Presidente del Tribunale d'Urbino*

Avv. Lorenzo Liverani, *Presidente del Tribunale di Macerata*

Avv. Filippo Marsili, *ff. di Presidente del Tribunale d'Ascoli*

Avv. Paolo Balestra, *Presidente del Tribunale di Camerino*

Intervenne pure l'Ill. mo Sig. Dott. Angelo Mazzoleni, Procuratore fiscale presso il Tribunale d'Ancona in rappresentanza del Pubblico Ministro, ed assistetti io Clemente Marinelli, segretario del Municipio d'Ancona, special-

### IN THE NAME OF GOD

In the great hall of the Municipal Palace there is gathered in public assembly the Court of Justice of the Provinces of the Marches, specially constituted in accordance with Article II of the Decree which was given out on the second of October last by the Royal Commissioner General Extraordinary in the Provinces aforesaid, and composed of their Excellencies the following gentlemen:

Advocate Domenico Pantaleoni, *President of the Tribunal of Appeal of Macerata.*

Advocate Filippo Bonacci, *President of the Tribunal of Ancona.*

Advocate Andrea Cattabeni, *President of the Tribunal of Pesaro.*

Advocate Federico Monti, *Acting President of the Tribunal of Fermo.*

Advocate Luigi Alippi, *Acting President of the Tribunal of Urbino.*

Advocate Lorenzo Liverani, *President of the Tribunal of Macerata.*

Advocate Filippo Marsili, *Acting President of the Tribunal of Ascoli.*

Advocate Paolo Balestra, *President of the Tribunal of Camerino.*

There were present also the Honorable Doctor Angelo Mazzaloni, Fiscal Attorney for the Tribunal of Ancona, representing the State, and I, Clemente Marinelli, Secretary of the Municipality of Ancona, specially

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[1] *Le Assemblee,* vol. 1, p. 777.

mente assunto a funzionare da cancelliere all'Atto presente.

Il lodato signor Presidente del Tribunale d'Appello dichiarò aperta la seduta, ed espose essere oggetto della medesima lo spoglio generale dei voti resi dal Popolo delle Marche nei Comizi adunati il 4 e 5 del corrente, per statuire un Plebiscito sulla domanda: *Volete far parte della Monarchia Costituzionale* di VITTORIO EMANUELE II?

Invitò quindi i signori Presidenti dei Tribunali di prima istanza a presentare i risultati delle votazioni nelle rispettive Provincie alla loro giurisdizione soggette.

I medesimi allora esibirono gli analoghi prospetti, dei quali, previa collazione sui relativi verbali e verifica dell'esattezza, lo stesso signor Presidente d'Appello, li invitò a dare pubblica lettura, locchè ciascuno di essi eseguì coll'ordine seguente dando lettura dei detti prospetti che a me consegnarono:

charged to register the present document, was present.

The worthy President of the Tribunal of Appeal opened the meeting and announced that its object was to count the total vote cast by the people of the Marches in the meetings called on the 4th and 5th, to decide by a plebiscite the question: "*Do you wish to form a part of the Constitutional Monarchy of* VICTOR EMANUEL II?"

He then invited the honorable presidents of the Tribunals of the First Instance to present the results of the vote in the respective provinces subject to their jurisdiction.

The said presidents then exhibited their reports, which, after an examination of the various formal minutes and a verification of their exactness, the aforesaid President of Appeal invited them to read publicly, which each of them did in the following order, reading the said results which they delivered to me:

VOTI (*VOTES*)

| Province (*Province*) | Affirmativi (*Affirmative*) | Negative (*Negative*) | Nulli (*Void*) |
|---|---|---|---|
| Ancona | 26,773 | 244 | 87 |
| Macerata | 32,575 | 212 | 60 |
| Pesaro | 21,017 | 149 | 68 |
| Urbino | 21,111 | 365 | 29 |
| Fermo | 16,694 | 90 | 7 |
| Ascoli | 10,199 | 87 | 9 |
| Camerino | 5,412 | 65 | .. |
| Somma (*Total*) | 133,783 | 1,212 | 260 |

Dai quali complessivi risultati io, appresso l'ordine del signor Presidente d'Appello, feci la pubblicazione.

Allora il signor rappresentante del

Which total results, I, according to the order of the President of Appeal, made public.

Then the representative of the State

Pubblico Ministero prese la parola facendo requisitoria perchè la Corte pronunciasse la sua analoga dichiarazione.

Ed il signor Presidente d'Appello, consultati i membri della Corte, pronunciò come appresso:

La Corte dichiara che il Popolo delle Provincie delle Marche nei Comizi tenuti i giorni 4 e 5 del corrente novembre, per statuire con Plebiscito sulla domanda: *Volete far parte della Monarchia Costituzionale di* VITTORIO EMANUELE II? — ha deciso per l'affermativa con la maggioranza di voti 133,783, contro negativi 1212 e nulli 260.

Dopo di che esso signor Presidente dichiarò sciolta la seduta, della quale io compilai in duplo il presente verbale, che, premessa lettura, fu dalla Corte a da me sottoscritto ed a cui vennero apposti i sigilli di questo Municipio e di questo Tribunale di prima istanza.

D'ordine del signor Presidente del Tribunale d'Appello si fa menzione esser giunti in pendenza dell'operazione un Atto in brevetto emesso in Torino da ventitre Marchigiani, che dichiararono il loro voto in senso affermativo sulla sovraccennata formula, ed una lettera da Livorno, dell'anconitano Gustavo Schelini, che dichiara altrettano. Lo che reca il numero dei voti affermativi a 133,807.

AVV. DOMENICO PANTALEONI, *Presidente della Corte d'Apello in Macerata* — AVV. FILIPPO BONACCI,

took the floor demanding that the Court should pronounce its decision accordingly.

And the President of Appeal, having consulted the members of the Court, pronounced as follows:

The Court declares that the People of the Provinces of the Marches at the popular assemblies held the 4th and 5th days of the present November to decide by plebiscite the question: "*Do you wish to form a part of the constitutional monarchy of* VICTOR EMANUEL II?" have decided for the affirmative with the majority vote of 133,783 against 1212 negatives and 260 void.

After which the President declared the meeting dissolved, of which I, as secretary pro-tem, compiled the present formal minute in duplicate which, after being read, was signed by the Court and by me, and to which were affixed the seals of this Municipality and of this Tribunal of the First Instance.

By order of the President of the Tribunal of Appeal, mention is made that there is added, during the operation, a document given out in Turin by twenty-three men of the Marches, who declared their vote in the affirmative on the aforesaid formula, and a letter from Livono from Gustave Schelini of Ancona who makes the same declaration. This brings the affirmative votes to 133,807.

Advocate DOMENICO PANTALEONI, *President of the Court of Appeal in Macerata,* Advocate FILIPPO BO-

*Presidente del Tribunale di Ancona* — Avv. Lorenzo Liverani, *Presidente del Tribunale di Macerata* — Avv. Andrea Cattabeni, *Presidente del Tribunale di Pesaro* — Avv. Luigi Alippi, *ff. di Presidente del Tribunale d'Urbino* — Avv. Federico Monti, *ff. di Presidente del Tribunale di Fermo* — Avv. Filippo Marsili, *Giudice ff. di Presidente del Tribunale di Ascoli* — Avv. Paolo Balestra, *Presidente del Tribunale di Camerino.*

Clemente Marinelli
*Segretario del Municipio d'Ancona.*

Ancona, li 9 novembre 1860.

nacci, *President of the Tribunal of Ancona,* Advocate Lorenzo Liverani, *President of the Tribunal of Macerata,* Advocate Andrea Cattabeni, *President of the Tribunal of Pesaro,* Advocate Luigi Alippi, *Acting President of the Tribunal of Urbino,* Advocate Federico Monti, *President of the Tribunal of Fermo,* Advocate Felippo Marsilli, *Acting Judge, Acting President of the Tribunal of Ascoli,* Advocate Paolo Balestra, *President of the Tribunal of Camerino.*

Clemente Marinelli
*Secretary of the Municipality of Ancona.*

Ancona, November 9, 1860.

## *Formal Minute of the Result of the Plebiscite in the Provinces of Umbria* [1]

### SEDUTA PUBBLICA DEI GIORNI 8 E 9 NOVEMBRE 1860

Visto il Decreto di S. E. il Regio Commissario generale per le Provincie dell'Umbria del dì 21 ottobre 1860, col quale il Popolo delle medesime era convocato nei Comizi dei giorni 4 e 5 novembre dello stesso anno, a dichiarare la sua volontà sulla proposta:

*Volete far parte della Monarchia Costituzionale del Re* Vittorio Emanuele?

Visto il successivo Decreto del prelodato Regio Commissario generale

### PUBLIC SESSION OF THE 8TH AND 9TH OF NOVEMBER, 1860

In view of the Decree of His Excellency the Royal Commissioner General for the Provinces of Umbria of October 21st, 1860, in which the people of the same Provinces were convoked in popular assemblies on the 4th and 5th days of November of the same year, to declare their wishes on the proposal:

"*Do you wish to form a part of the Constitutional Monarchy of King* Victor Emanuel?"

In view of the later decree of the honorable Commissioner General of

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[1] *Le Assemblee* vol. 1, p. 781.

del dì 6 suddetto mese di novembre, col quale, prorogato al giorno 8 del ripetuto mese lo spoglio generale degli scrutini parziali, venne questo affidato al Tribunale d'Appello unitamente a quello di prima istanza già designato nel Decreto antecedente;

the 6th day of the aforesaid month of November, which prorogued to the 8th day of the same month the general count of the partial votes, which was entrusted to the Tribunal of Appeal together with the Court of the First Instance already designated in the preceding decree;

Visti ed esaminati i processi verbali portanti i risultati degli scrutinii parziali trasmessi alla Presidenza dai Commissari Regi delle rispettive Provincie fattone lo spoglio generale;

Having seen and examined the formal minute containing the partial results of the vote transmitted to the President by the royal commissioners of the respective provinces and the general count of votes having been made;

INVOCATO IL SS. NOME DI DIO

HAVING INVOKED THE HOLY NAME OF GOD

I Tribunali riuniti di Appello e di prima istanza, residenti in Perugia solennemente proclamano i seguenti risultati generali del Plebiscito emesso dagli abitanti delle Provincie dell'Umbria sull'annessione alla Monarchia Costituzionale del Re Vittorio Emanuele II:

The united Tribunals of Appeal, and of the First Instance, in session in Perugia, solemnly proclaim the following general results of the plebiscite of the inhabitants of the Provinces of Umbria as to the question of annexation to the Constitutional Monarchy of King Victor Emanuel II.

| | |
|---|---|
| Inscritti (*Registered*) | N. 123,011 |
| Votanti (*Voting*) | 97,625 |
| Pel *Si* (*Yes*) | 97,040 |
| Pel *No* (*No*) | 380 |
| Voti nulli (*Void*) | 205 |

Luigi Avv. Bonelli, *Presidente del Tribunale d'Appello*
Federico Galeotti, *Giudice*
Francesco Pontonelli, *Giudice*
Angelo Senesi, *Giudice supplente*
Vicenzo Viti, *Giudice supplente*
Giacomo Negroni, *Presidente del Tribunale di prima istanza*

Advocate Luigi Bonelli, *President of the Tribunal of Appeal.*
Federico Galeotti, *Justice.*
Francesco Pontonelli, *Justice.*
Angelo Senesi, *Assistant Justice.*
Vicenzo Viti, *Assistant Justice.*
Giacomo Negroni, *President of the Tribunal of the First Instance.*

Armogaste Stamigni, *Vice-Presidente*
Avv. Raffaele Corsi, *Giudice*
Giulio Jermini, *Giudice*
Avv. Orazio Latoni, *Giudice*
Giuseppe Fratellini, *Giudice*
Giuseppe Girri, *Cancelliere*
Alessandro Papi, *Cancelliere*

Armogaste Stamigni, *Vice-President.*
Adv. Raffaele Corsi, *Justice.*
Giulio Jermini, *Justice.*
Adv. Orazio Latoni, *Justice.*
Giuseppe Fratellini, *Justice.*
Giuseppe Girri, *Chancellor.*
Allessandro Papi, *Chancellor.*

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## *Formal Act of Acceptance of the Plebiscite of the Marches and of Umbria. November* 22, 1860 [1]

Alle ore 11 del mattino del 22 novembre 1860 le vetture di Corte hanno condotto al Palazzo reale di Napoli il Regio Commissario generale per le provincie delle Marche, Lorenzo Valerio (Governatore di Como), cavaliere gran croce dell'ordine dei Santi Maurizio e Lazzaro, il Regio Commissario generale per le provincie dell' Umbria, marchese Gioachino Napoleone Pepoli, deputato al Parlamento nazionale e cavaliere gran croce dell' Ordine suddetto, e le Deputazioni delle Marche e dell'Umbria. S. M. il Re era nella sala del trono, e trovavansi presenti il Luogotenente generale del Re coi consiglieri di luogotenenza, il Consiglio di Stato, la Suprema Corte di giustizia, la Gran Corte dei conti, la Casa militare del Re e il Municipio di Napoli.

I Regi Commissari hanno presen-

At eleven o'clock in the morning on the 22nd of November, 1860, the Court carriages conducted to the Royal Palace of Naples, the Royal Commissioner General for the Provinces of the Marches, Lorenzo Valerio (Governor of Como), Chevalier of the Grand Cross of the Order of Saints Maurizio and Lazzaro, the Royal Commissioner General for the Provinces of Umbria, Marquis Gioachino Napoleone Pepoli, Deputy to the National Parliament and Chevalier of the Grand Cross of the aforesaid Order, and the Deputations of the Marches and of Umbria. His Majesty the King was in the Throne Room, and there were present the Lieutenant General of the King, with the Councillors in Office, the Council of State, the Supreme Court of Justice, the High Court of Accounts, the Military Household of the King, and the Municipality of Naples.

The Royal Commissioners presenttato al Re il verbale dello spoglio dei voti fatto in Ancona e Perugia il giorno 9 di novembre, e le rispettive Deputazioni. Quindi il Regio Commissario delle Marche ha indirizzate al Re brevi parole, dicendo:

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[1] *Le Asemblee*, vol. 1, p. 782.

" Sire! Alla vostra corona italica si aggiunge ora una piccola, ma preziosissima gemma. Le sei provincie delle Marche, col loro milione d'abitanti offrono il sangue e gli averi a Voi, per la cui virtù si ricompose la grande famiglia italiana, di cui vogliono far parte. O Sire! Voi nelle Marche avrete operosi cittadini, soldati valorosi, italiani degni di Vittorio Emanuele."

Anche il Regio Commissario dell'Umbria rivolgeva a S. M. a un dipresso queste parole:

" Alla M. V. presento il voto dei popoli dell'Umbria. Essi vogliono appartenere alla gloriosa Vostra Dinastia, nella quale è già identificata l'Italia. Voi troverete i popoli dell' Umbria devoti sempre alla M. V. ed alla patria."

S. M. il Re rispondeva ringraziare i Regi Commissari e le Deputazioni delle Marche e dell'Umbria pei voti recati e per i sensi espressigli. La sua vita intera essere consacrata all'Italia, ed alla causa nazionale. Aver vivo desiderio di visitare i paesi ora novellamente congiunti allo Stato. I popoli delle Marche, e dell'Umbria avere fatto anch'essi opera di senno e di virtù dichiarando di voler essere

ed to the King the formal minute of the result of the votes cast at Ancona and Perugia on the 9th day of November, and the respective Deputations. Thereupon the Royal Commissioner of the Marches addressed to the King a few words, saying:

" Sire! To your Italian crown is now joined a small but most precious gem. The six provinces of the Marches, with their million inhabitants, offer their blood and their belongings to you through whose valor the great Italian family has been reunited, of which they wish to be a part. Oh Sire! In the Marches you will have active citizens, valiant soldiers, Italians worthy of Victor Emanuel."

The Royal Commissioner of Umbria also addressed to His Majesty words of this nature:

" The vote of the people of Umbria has been presented to your Majesty, and they wish to belong to your glorious Dynasty with which Italy is already identified. You will find the people of Umbria always devoted to your Majesty and to the country."

His Majesty the King replied by thanking the Royal Commissioners and the Deputies of the Marches and Umbria for the votes cast and the sentiments expressed. His entire life would be consecrated to Italy and to the national cause. He had a great desire to visit the countries newly joined to the state. The people of the Marches and of Umbria had also committed acts of wisdom and of riuniti in un solo grande Stato per formare la Nazione italiana.

Il ministro di grazia e giustizia e guardasigilli ha letto il verbale della presentazione e dell'accettazione del voto di annessione, nel quale si dichiara che il Re è ben lieto di accettare i popoli delle Marche e dell'Umbria in patto di libertà e di fede. Il verbale è stato sottoscritto dal Re, dai Regi Commissari, dalle Deputazioni, dai ministri e dai presidenti dei grandi Corpi.

Il Regio Commissario delle Marche ha presentato al Re gl'indirizzi delle donne e dei minorenni delle città delle Marche, per invocare l'esaudimento del voto di annessione. S. M. il Re ha accolto questi indirizzi con singolare compiacenza. Così venne rogato il seguente atto:

" L'anno 1860, il dì 22 novembre alle ore 11 antimeridiane, in Napoli, nel Palazzo reale, e nella sala del trono, alla presenza di S. M. il Re Vittorio Emanuele II, assistendo al presente Atto il ministro di grazia e giustizia ed affari ecclesiastici, cavaliere Giovanni Battista Cassinis, ed il ministro della guerra generale d'armata Manfredo Fanti, S. E. il Luogotenente generale delle provincie napoletane, il cavaliere Luigi Carlo Farini, S. E. il generale d'armata conte Enrico Morrozzo della Rocca, gli aiutanti di campo, gli ufficiali di ordinanza e le altre persone della Casa e del seguito di Sua Maestà, i consiglieri di Luogo-

virtue in declaring their wish to be united in a single state to form the Italian nation.

The Minister of Grace and of Justice and Keeper of the Seals read the formal minute of the presentation and of the acceptance of the vote for annexation, in which it is declared that the King is very happy to accept the people of the Marches and of Umbria in a compact of liberty and trust. The report was signed by the King, by the Royal Commissioner, the Deputations, the Ministers, and by the Presidents of the high official bodies.

The Royal Commissioner of the Marches presented to the King the addresses of the women and children of the cities of the Marches, asking for the acceptance of the vote of annexation. His Majesty the King received these addresses with singular pleasure. The following Act was then drawn up.

" In the year 1860, on the 22nd of November at eleven o'clock A.M. in Naples, in the Throne Room of the Royal Palace in the presence of His Majesty Victor Emanuel II, there being present the Minister of Grace and Justice and of Ecclesiastical Affairs, Chevalier Giovanni Battista Cassinis, and the Minister of War, General Manfredo Fanti, his Excellency the Lieutenant General of the Neopolitan Provinces, the Chevalier Luigi Carlo Farini, his Excellency General Count Enrico Morrozzo Della Rocca, the adjutants, the officers of the day and the other members of the Household and of the Suite of His Majesty, the

tenenza, la Magistratura, il Municipio ed altri funzionari civili e militari sono stati introdotti il Regio Commissario delle provincie delle Marche, Governatore di Como, cavaliere Lorenzo Valerio, ed il regio Commissario delle provincie dell'Umbria, marchese Gioachino Napoleone Pepoli, cavalieri amendue di gran croce, decorati del gran cordone dell'Ordine dei Santi Maurizio e Lazzaro, ed i signori conte cavaliere Giacomo Ricci, conte Domenico Monti, avvocato Andrea Cattabeni, componenti la Deputazione delle provincie delle Marche, ed i signori marchese Filippo Gualterio, Francesco Guardabassi, conte Zeffirino Faina, conte Giuseppe Orsini, conte Antonio Beccherucci, conte Cesare Pianciani, conte Federico Francisci, conte Alceo Massarucci, Giuseppe Argentieri, marchese B. Vecchiarelli, conte Pietro Battaglia, componenti la Deputazione delle provincie dell'Umbria, i quali presentano alla M. S. il risultamento del plebiscito con cui i popoli di quelle provincie, convocati nei Comizi il 4 ed il 5 novembre 1860, per suffragio universale hanno dichiarato, i primi con voti affermativi 133,775, contro voti negativi 1,212, i secondi con voti affermativi 97,040 contro voti negativi 380, di voler far parte della Monarchia costituzionale di Vittorio Emanuele II.

" S. M. il Re nell'accettare per sè e per suoi legittimi discendenti il risultamento del plebiscito, esprime quanto

Councillors in Office, the Judiciary, the Municipality and other civil and military functionaries, there were introduced the Royal Commissioner of the Provinces of the Marches, Governor of Como, Chevalier Lorenzo Valerio, and the Royal Commissioner of the Provinces of Umbria, Marquis Gioachino Napoleone Pepoli, both Chevaliers of the Grand Cross, decorated with the Grand Cordon of the Order of Saints Maurizio and Lazzaro, and the Count Chevalier Giacomo Ricci, Count Domenico Monti, Advocate Andrea Cattabeni, composing the Deputation of the Provinces of the Marches and the Marquis Filippo Gualterio, Francesco Guardabassi, Count Zeffirino Faina, Count Giuseppe Orsini, Count Antonio Beccherucci, Count Cesare Piansiani, Count Federico Francisci, Count Alceo Massarucci, Giuseppe Argentieri, Marquis B. Vecchiarelli, Count Pietro Battaglia, composing the Deputation of the Provinces of Umbria, who presented to His Majesty the result of the plebiscite by which the people of those provinces convened in popular assemblies on the 4th and 5th of November, 1860, have declared by universal suffrage, the former with 133,775 affirmative votes against 1212 negative, and the latter with 97040 affirmative against 380 negative, that they wish to form a part of the Constitutional Monarchy of Victor Emanuel II.

" His Majesty the King, in accepting for himself and his legitimate descendants the result of the plebisle torni gradito che col concorso di queste altre ragguardevoli provincie si costituisca ad unità di Stato la Nazione italiana, e le sorti della comun patria sieno omai indissolubilmente collegate con quelle della sua Casa e strette al medesimo patto di libertà e di fede.

" Di tutto ciò il ministro di grazia e giustizia ha, d'ordine del Re, rogato il presente processo verbale, sottoscritto da S. M., dai Regi Commissari per le provincie delle Marche e dell'Umbria, dai membri delle Deputazioni delle stesse provincie, dal Luogotenente generale delle provincie napoletane, dai consiglieri di Luogotenenza, dal sindaco del Municipio di Napoli, dal presidente della Suprema Corte di giustizia, dal presidente della Gran Camera dei conti, contrassegnato dal ministro della guerra, e dal ministro di grazia e di giustizia munito del gran sigillo dello Stato.

" L'originale del presente Atto verrà depositato e conservato negli archivi generali del Regno."

VITTORIO EMANUELE

Lorenzo Valerio — G. Napoleone Pepoli — Della Rocca — Farini — Conte Michele Fazioli — Avv. A. Cattabeni — Marchese Giacomo Ricci — Conte Domenico Monti — Marchese Mariano Alvitreti — Conte Giuseppe Parisani — Marchese F. A. Gualterio — Guardabassi — Conte Zeffirino Faina — Giuseppe Orsini — Conte

cite, explains how deeply he is gratified that by the adhesion of these other considerable provinces, the Italian Nation should attain unity, and that the fortunes of the common country should now be indissolubly joined with those of his House, and linked by the same compact of liberty and trust.

" Of all this the Minister of Grace and Justice has, by the King's order, drawn up the present formal minute, signed by His Majesty, by the Royal Commissioners for the Provinces of the Marches and of Umbria, by the members of the Delegations of the said Provinces, by the Lieutenant General of the Neapolitan provinces, by the Vice-Councillor, by the Syndic of the Municipality of Naples, by the President of the Supreme Court of Justice, by the President of the Grand Chamber of Accounts, countersigned by the Minister of War and by the Minister of Grace and Justice, and sealed with the great seal of the State.

" The original of the present document shall be placed and preserved in the general archives of the Kingdom."

VICTOR EMANUEL.

Lorenzo Valerio, G. Napoleone Pepoli, Della Rocca, Farini, Count Michele Fazioli, Advocate A. Cattabeni, Marquis Giacomo Riccio, Count Domenico Monti, Marquis Mariano Alvitreti, Count Giuseppe Parisani, Marquis F. A. Gualterio, Guardabassi, Count Zeffirino Faina, Giuseppe Orsini, Count Alceo Massarucci, Count

Alceo Massarucci — Conte Francesco Pianciani — Marchese Bartolomeo Vecchiarelli — Giuseppe Argentieri — Conte Antonio Beccherucci — Conte Pietro Battaglia — Conte Federico Francisci — Giuseppe Pisanelli — Marchese Rodolfo D'Afflitto di Montefalcone — R. Piria — G. Divincenzi — Giuseppe Ferrigni — P. S. Mancini — A. Scialoja — A. Colonna sindaco di Napoli — F. Gamboa — A. Troysi.

*Il ministro della guerra:* M. Fanti.
*Il ministro di grazia e giustizia:* G. C. Cassinis.

Francesco Pianciani, Marquis Bartolomeo Vecchiarelli, Giuseppe Argentieri, Count Antonio Beccherucci, Count Pietro Battaglia, Count Federico Francisci, Guiseppe Pisanelli, Marquis Rodolfo D'Afflitto de Montefalcone, R. Piria, G. Divincenzi, Giuseppe Ferrigni, P. S. Mancini, A. Scialoja, A. Colonna, *Syndic of Naples;* F. Gamboa, A. Troysi.

*The Minister of War,* M. Fanti.
*The Minister of Grace and Justice,* G. C. Cassinis.

## *Royal Decree of Annexation of the Marches to the Italian State. December 17, 1860*[1]

### VITTORIO EMANUELE II

Visto il plebiscito sottoposto al suffragio universale e diretto del popolo delle provincie delle Marche convocato in Comizi il 4 ed il 5 novembre ultimo;

Visto il processo verbale di presentazione e di accettazione di tale plebiscito eseguito in Napoli il 22 novembre suddetto;

Vista la legge in data 3 corrente mese, con cui il Governo del Re è autorizzato ad accettare e stabilire per decreti reali l'annessione allo Stato di quelle provincie dell'Italia centrale e

### VICTOR EMANUEL II

In view of the plebiscite submitted to the direct and universal suffrage of the people of the Provinces of the Marches, convened in popular assemblies on the 4th and 5th of last November;

In view of the formal minute of presentation and of acceptance of the said plebiscite executed at Naples on the above-mentioned 22nd of November;

In view of the law of the third day of the current month, by which the Government of the King is authorized to accept and to establish through royal decrees the annexation to the meridionale, nelle quali si manifesti liberamente per suffragio diretto universale dalle popolazioni di far parte integrante della Nostra Monarchia costituzionale;

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[1] *Le Assemblce,* vol. 1, p. 784. The decree annexing Umbria was issued on the same date and is identical. *Ibid.,* p. 784.

Udito il Consiglio dei ministri;

Abbiamo decretato e decretiamo;

Art. 1. Le Provincie delle Marche faranno parte integrante dello Stato italiano dalla data del presente decreto.

Art. 2. L'articolo 82 dello Statuto, con cui è stabilito che fino alla prima riunione delle due Camere il Governo provvederà al pubblico servizio con sovrane disposizioni, sarà applicabile alle provincie suddette fino alla riunione del Parlamento nazionale.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta degli Atti del Governo, e pubblicato nelle provincie suddette, mandando a chiunque spetta di osservarlo e di farlo osservare.

Dato a Napoli li 17 dicembre 1860.

VITTORIO EMANUELE.

G. B. Cassinis — M. Fanti — C. Cavour — M. Minghetti — F. S. Vegezzi — S. Jacini — T. Mamiani — T. Corsi.

State of those provinces of central and southern Italy, in which the population has freely shown their wish, by means of direct universal suffrage, to form an integral part of our Constitutional Kingdom;

Having heard the Council of Ministers;

We have decreed and we decree:

Article 1. The Provinces of the Marches shall form an integral part of the Italian State, from the date of the present decree.

Art. 2. Article 82 of the Constitution, in which it is provided that until the first meeting of the two Chambers, the Government shall provide for the public service, with sovereign regulations, shall be applicable to the aforesaid Provinces, until the meeting of the National Parliament.

We order that the present decree, sealed with the seal of State, shall be entered in the collection of Government documents, and published in the said Provinces, notifying all those concerned to observe them and to cause them to be observed.

Given at Naples the 17th of December, 1860.

VICTOR EMANUEL.

C. B. Cassinis, M. Fanti, C. Cavour, M. Mignetti, F. S. Vegezzi, S. Jacini, T. Mamiani, T. Corsi.

## VENETIA, 1866

### *Convention Between Austria and France for the Cession of Venetia by Austria to France. Signed at Vienna, August* 24, 1866 [1]

Leurs Majestés l'Empereur des Français et l'Empereur d'Autriche, Roi de Hongrie et de Bohême, désirant régler la cession de la Vénétie, antérieurement convenue entre Leurs Majestés, ont nommé pour leurs Plénipotentiaires à cet effet, savoir:

S. M. l'Empereur des Français,

Le Duc de Gramont, son Ambassadeur près S. M. Impériale et Royale Apostolique, etc.

Et S. M. l'Empereur d'Autriche, Roi de Hongrie et de Bohême,

Le Comte de Mensdorff-Pouilly, lieutenant général, son chambellan et conseiller intime, etc.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

ART. 1er. Sa Majesté l'Empereur d'Autriche cède le Royaume lombard-vénitien à Sa Majesté l'Empereur des Français, qui l'accepte.

ART. 2. Les dettes qui seront reconnues afférentes au Royaume lombard-vénitien, conformément aux précédents du Traité de Zurich, demeurent attachées à la possession du territoire cédé.

Their Majesties the Emperor of the French and the Emperor of Austria, King of Hungary and of Bohemia, desiring to arrange the conditions for the cession of Venetia, already agreed to by their Majesties, have named as their Plenipotentiaries for this purpose, that is to say:

H. M. the Emperor of the French, the Duke de Gramont, His Ambassador to His Imperial and Royal Apostolic Majesty, etc.

And His Majesty the Emperor of Austria, King of Hungary and of Bohemia,

Count de Mensdorff-Pouilly, Lieutenant General, his Chamberlain and Privy Councellor, etc., who, having communicated their full powers found in good and due form, have agreed on the following articles:

ARTICLE 1. His Majesty, the Emperor of Austria cedes the Lombardo-Venetian Kingdom to His Majesty the Emperor of the French, who accepts it.

ART. 2. The debts which shall be recognized as attaching to the Lombardo-Venetian Kingdom, in conformity with the precedents of the Treaty of Zurich, shall remain attached to the possessions of the ceded territory.

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[1] Martens, *N. R. G.*, vol. 18, p. 414.

Elles seront fixées ultérieurement par des Commissaires spéciaux, désignés à cet effet par Sa Majesté l'Empereur des Français et Sa Majesté l'Empereur d'Autriche.

ART. 3. Un arrangement particulier, dont les termes seront arrêtés entre les Commissaires français et autrichiens autorisés à cet effet, déterminera, conformément aux usages militaires et en maintenant tous les égards dus à l'honneur de l'Autriche, le mode et les conditions de l'évacuation des places autrichiennes.

Les garnisons autrichiennes pourront emporter tout le matériel transportable.

Un arrangement ultérieur sera conclu par les Commissaires spéciaux, relativement au matériel non transportable.

ART. 4. La remise effective de possession du Royaume lombard-vénitien par les Commissaires autrichiens aux Commissaires français aura lieu après la conclusion de l'arrangement concernant l'évacuation des troupes et après que la paix aura été signée entre Leurs Majestés l'Empereur François-Joseph et le Roi Victor Emmanuel.

ART. 5. Les commandants des troupes autrichiennes s'entendront, pour l'exécution de ces clauses, avec les autorités militaires qui leur seront désignées par les Commissaires français, sauf recours, en cas de contestation, auxdits Commissaires de Sa Majesté l'Empereur des Français.

They shall be fixed ultimately by special Commissioners, designated for this purpose by His Majesty the Emperor of the French and His Majesty the Emperor of Austria.

ART. 3. A special arrangement, the terms of which shall be agreed upon between the French and Austrian Commissioners authorized for this purpose, shall, in conformity with military customs and with due regard to the honor of Austria, fix the method and the conditions of the evacuation of the Austrian positions.

The Austrian garrisons may remove all transportable stores.

An arrangement shall be later concluded by the Special Commissioners regarding stores not transportable.

ART. 4. The final restoration of the possession of the Lombardo-Venetian Kingdom by the Austrian Commissioners to the French Commissioners shall take place after the conclusion of the arrangement concerning the evacuation of troops and after the peace shall have been signed between their Majesties the Emperor Francis Joseph and King Victor Emanuel.

ART. 5. The commanders of the Austrian troops shall come to an understanding regarding the execution of these clauses, with those military authorities who shall be designated to them by the French Commissioners, the right of appeal being reserved, in case of disagreement, to

ART. 6. La présente Convention sera ratifiée, et les ratifications en seront échangées à Vienne, dans le plus bref délai possible.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont apposé le cachet de leurs armes.

Fait en double expédition à Vienne, le 24 août 1866.

GRAMONT.

ALEXANDRE Comte MENSDORFF-POUILLY.

the said Commissioners of His Majesty, the Emperor of the French.

ART. 6. The present Convention shall be ratified, and the ratifications shall be exchanged at Vienna, within the shortest possible time.

In token of which the respective Plenipotentiaries have signed and affixed the seals of their arms.

Done in duplicate at Vienna, August 24, 1866.

GRAMONT.

Count ALEXANDER, MENSDORFF-POUILLY.

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## *Treaty of Peace Between Austria and Italy.*[1] *Signed at Vienna, October 3, 1866*[2]

Au nom de la très-sainte et indivisible Trinité.

Sa Majesté le Roi d'Italie et Sa Majesté l'Empereur d'Autriche ayant résolu d'établir entre leurs Etats respectifs une paix sincère et durable, Sa Majesté l'Empereur d'Autriche ayant cédé à Sa Majesté l'Empereur des Français le Royaume Lombardo-Vénitien, Sa Majesté l'Empereur des Français de son côté s'étant déclaré prêt à reconnaître la réunion du dit Royaume Lombardo-Vénitien aux Etats de Sa Majesté le Roi d'Italie, sous réserve du consentement des populations dûment consultées: Sa Majesté le Roi d'Italie et Sa Majesté l'Empereur d'Autriche ont nommé pour leurs Plénipotentiaires, savoir:

In the name of the Most Holy and Indivisible Trinity.

His Majesty the King of Italy and His Majesty the Emperor of Austria having resolved to establish between their respective States an absolute and durable peace, His Majesty the Emperor of Austria having ceded to His Majesty the Emperor of the French the Lombardo-Venetian Kingdom, His Majesty the Emperor of the French having on his part declared himself ready to recognize the union of the said Lombardo-Venetian Kingdom to the States of His Majesty the King of Italy, under the reservation of the consent of the populations, duly consulted: His Majesty the King of Italy and His

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[1] *British and Foreign State Papers,* vol. 56, p. 700.

[2] Ratifications exchanged October 12, 1866.

Sa Majesté le Roi d'Italie, le Sieur Louis-Frédéric Comte Menabrea: . . .

Sa Majesté l'Empereur d'Autriche, le Sieur Félix Comte Wimpffen; . . .

Lesquels, après avoir échangé leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des articles suivants:

I. Il y aura, à dater du jour de l'échange des ratifications du présent Traité, paix et amitié entre Sa Majesté le Roi d'Italie et Sa Majesté l'Empereur d'Autriche, leurs héritiers et successeurs, leurs Etats et sujets respectifs, à perpétuité.

II. Les prisonniers de guerre Italiens et Autrichiens seront immédiatement rendus de part et d'autre.

III. Sa Majesté l'Empereur d'Autriche consent à la réunion du Royaume Lombardo-Vénitien au Royaume d'Italie.

IV. La frontière du territoire cédé est déterminée par les confins administratifs actuels du Royaume Lombardo-Vénitien.

Une Commission militaire instituée par les deux Puissances Contractantes sera chargée d'exécuter le tracé sur le terrain dans le plus bref delai possible.

. . . . . .

XXIV. Le présent Traité sera ratifié et les ratifications en seront

Majesty the Emperor of Austria have appointed as their Plenipotentiaries, that is to say:

His Majesty the King of Italy, the Sieur Louis Frederic, Count Menabrea, . . . . . . . . . .

His Majesty the Emperor of Austria, the Sieur Félix, Count Wimpffen; . . .

Who, having exchanged their full and respective powers, found in good and due form, have agreed on the following articles:

I. There shall be peace and friendship between His Majesty the King of Italy and His Majesty the Emperor of Austria, their heirs and successors, their respective States and subjects, from the date of exchange of ratifications of the present treaty, forever.

II. The Italian and Austrian prisoners of war shall be immediately returned by each side.

III. His Majesty the Emperor of Austria consents to the union of the Lombardo-Venetian Kingdom to the Kingdom of Italy.

IV. The frontier of the territory ceded is determined by the present administrative boundaries of the Lombardo-Venetian Kingdom.

A Military Commission instituted by the Contracting Powers shall be charged with drawing the boundary line on the spot, in the shortest possible time.

. . . . .

XXIV. The present treaty shall be ratified and the ratifications ex-

échangées à Vienne dans l'espace de 15 jours ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signé et y ont apposé le sceau de leurs armes.

Fait à Vienne, le 3 du mois d'Octobre, de l'an de grâce, 1866.

(L. S.) Menabrea.
(L. S.) Wimpffen.

changed at Vienna within the space of 15 days or sooner if possible.

In token of which the respective Plenipotentiaries have signed it and have affixed the seal of their arms.

Done at Vienna, on October 3d in the Year of Grace, 1866.

(L. S.) Menabrea.
(L. S.) Wimpffen.

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### *Report by the President of the Council to Victor Emanuel Recommending that a Plebiscite be Held in the Venetian Provinces. October 7,* 1866 [1]

Sire. Il vostro Regno, con esempio unico nella Storia, crebbe e s'ingrandì per consenso spontaneo dei Popoli ansiosi di dare all'idea nazionale una forma che ne assicurasse lo svolgimento, e fosse all'Europa una guarentigia d'ordine e di civiltà.

I vostri Padri avevano custodito sempre l'indipendenza d'Italia, educato civilmente i popoli a loro commessi, dotandoli insieme di civili istituzioni.

Il vostro augusto Genitore li restituì a libertà mentre si faceva campione d'Italia; e Voi, Sire, seguendo l'esempio degli Avi, calcaste le orme del padre, e foste fermo e leale mantenitore delle sue promesse e magnanimo continuatore della sua opera.

Queste virtù della vostra Dinastia e Vostre meritarono che le popolazioni Italiane scuotendo la soggezione stra-

Sire: Your Kingdom, a sole example in history, grew and was enlarged by the spontaneous consent of the peoples who were anxious to give to the national idea a form which should insure its development and be to Europe a guarantee of order and civilization.

Your fathers had always guarded the independence of Italy, had educated politically the peoples committed to their care, and endowed them at the same time with civil institutions.

Your august parent restored them to liberty while he made himself the champion of Italy; and you, Sire, following the example of your ancestors, trod in the footsteps of your father and were a firm and loyal keeper of his promises and a magnanimous continuer of his work.

These virtues of your dynasty and of Yourself deserved that the Italian peoples, in shaking off foreign sub-

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[1] *Collezione Celerifera delle Leggi, Decreti, Instruzioni e Circolari pubblicate nell' Anno 1866*, pt. 2, p. 1770.

niera si riunissero intorno al vostro Trono, e formassero sotto il vostro scettro costituzionale il Regno d'Italia.

Da quel momento il diritto nazionale fu costituito, ma non si potè estendere su tutta l'Italia. Rimase in soggezione straniera una parte nobilissima della Penisola, che pure aveva fatto eroici sforzi per liberarsene sino dal 1848; manifestando fin d'allora la volontà di unirsi al vostro Regno, confermando, e poi consacrando il suo voto con diciasette anni di resistenza e di patimenti.

La Nazione costituita considerò quindi la Venezia per medesimezza di stirpe, di lingua e di sentimenti come parte integrante di sè, e colle dichiarazioni del Governo di V. M., colle deliberazioni del Parlamento, cogli apparecchi di guerra fece sempre aperta la sua indeclinabile volontà di ricuperarla.

Oggi le cause per le quali la Venezia viveva seperata innaturalmente dall' Italia sono venute a cessare, ed ella è per essere restituita in grembo alla Nazione.

Ora il vostro Governo prega la M. V. a voler consentire che i Veneti siano chiamati a confermare la loro volontà per mezzo di plebiscito.

Il Governo di V. M. giudica conveniente di rendere omaggio, anche in questa occasione, al principio onde s'informa il nostro diritto nazionale. Tutte le altre popolazioni del Regno d'Italia furono chiamate prima o poi

jection, should unite around your throne, and form the Kingdom of Italy under your constitutional scepter.

From that moment the national right was established, but it could not be extended over all Italy. A most noble part of the Peninsula remained under foreign subjection, although it had made heroic efforts to liberate itself ever since 1848; manifesting from that time a determination to unite with your Kingdom, confirming and substantiating its desire by seventeen years of resistance and suffering.

The Nation, thus constituted, therefore considered Venice, owing to identity of race, language and sentiments, as an integral part of itself, and, through the declarations of Your Majesty's Government, through the deliberations of Parliament, and through military preparations, it always openly manifested its unshaken determination to recover it.

To-day the causes owing to which Venice lived unnaturally separate from Italy have ceased to exist, and it is about to be restored to the bosom of the Nation.

Now your Government requests Your Majesty to kindly consent to having the Venetians called upon to conform their will by means of a plebiscite.

Your Majesty's Government deems it suitable to do homage, on this occasion also, to the principle on which is based our national right. All the other peoples of the Kingdom of Italy were called upon at first or after-

a questa solenne manifestazione, la quale non potè compiersi nel 1848 se non imperfettamente dai Veneti; vi furono chiamate, quantunque avessero in altra forma, la cui efficacia non si sarebbe potuta mettere in dubbio, espresso i loro voleri.

Non sembra pertanto al Governo di V. M. che ai Veneti si debba chiuder la via di entrare nella famiglia italiana al medesimo patto degli altri popoli della Penisola, e di proclamare anche una volta, nel modo più solenne e più indiscutibile, quella italianità, che nonostante lunghe e durissime prove confessarono sempre.

Ad una Nazione nuova, e che non raccolse ancora in uno tutte le sue membra, conviene più che alle altre di affermare in ogni modo ed in ogni occasione il diritto nuovo; il quale siccome le fu argomento del suo primo costituirsi, così le sarà argomento di compiersi.

Per questi motivi i sottoscritti hanno l'onore di sottoporre alla augusta sanzione di V. M. il seguente Decreto, col quale i popoli ora liberati dalla soggezione straniera sono convocati nei Comizi per dichiarare la loro volontà di far parte del Regno d'Italia.

wards to make this solemn manifestation, which in 1848 could be but imperfectly carried out by the Venetians; they were nevertheless called upon to do it even though they had expressed their desires in another manner, whose effectiveness could not have been placed in doubt.

It therefore does not seem to Your Majesty's Government that the way ought to be closed to the Venetians to enter the Italian family by the same compact as the other peoples of the Peninsula, and to proclaim once more, in the most solemn and indisputable manner, that Italian nationality which in spite of long and exceedingly hard trials they have always professed.

For a new Nation which has not yet gathered into its folds all its members, it is more suitable even than for others that the new right should be affirmed in every way and on every occasion; which right, inasmuch as it served it as an argument when it was first constituted, will also serve it as an argument upon its becoming completed.

For these reasons the undersigned have the honor to submit to Your Majesty's august sanction the following Decree, whereby the peoples now liberated from foreign subjection are convoked in popular assemblies in order to declare their desire to form part of the Kingdom of Italy.

## *Royal Decree Convoking the Popular Assemblies of the Venetian Provinces*[1]

### VITTORIO EMMANUELE II

### Re d'Italia

Sulla proposta del Presidente del Consiglio dei Ministri Ministro dell' Interno e del Ministro Guardasigilli abbiamo decretato e decretiamo:

Art. 1. I cittadini delle Provincie Italiane libertate dall'occupazione austriaca sono convocati nei Comizi nei giorni 21 e 22 ottobre per dichiarare la loro volontà sulla formula seguente:

" Dichiariamo la nostra unione al Regno d'Italia sotto il Governo monarchico-costituzionale del Re Vittorio Emmanuele II e de'suoi successori."

Il voto sarà espresso per *sì* e per *no* col mezzo di un bollettino manoscritto o stampato. Le schede portanti altre dichiarazioni sono nulle.

2. Contemporaneamente alla pubblicazione del presente Decreto le Rappresentanze Municipali delle suddette Provincie indicheranno l'ora ed il luogo nel quale sarà aperto lo scrutinio; ecciteranno tutti i cittadini a rendere il loro voto, e daranno tutte le altre disposizioni convenienti perchè la manifestazione del suffragio nazionale riesca libera e solenne.

3. Le Congregazioni Municipali

### VICTOR EMANUEL II

### King of Italy

I, Victor Emanuel II, King of Italy, on the recommendation of the President of the Council and Minister of the Interior and of the Minister Guardian of the Seals, have decreed and do hereby decree:

Article 1. The citizens of the Italian Provinces liberated from Austrian occupation are hereby convoked in popular assemblies on October 21 and 22 for the sake of declaring their will in the following form:

" We declare our union with the Kingdom of Italy under the monarchico-constitutional Government of King Victor Emanuel II and his successors."

The vote shall be expressed by *yeas* and *nays* by means of a written or printed ticket. All ballots containing other declarations shall be null and void.

2. Simultaneously with the publication of the present decree, the representative municipal bodies of the aforesaid Provinces shall indicate the hour and place at which the voting shall be begun; they shall urge all the citizens to cast their vote, and shall take all other appropriate measures in order that the national suffrage may be freely and solemnly exercised.

3. The municipal governments shall

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[1] *Collezione Celerifera,* Part II, p. 1771. The decree was signed on October 7 and published on October 19.

hanno facoltà di dividere il Comune in quel numero di sezioni che crederanno opportuno.— Le stesse facoltà apparterranno alle Giunte Municipali o Deputazione Comunali dei Comuni divisi in frazioni, o che contassero più di cinquecento votanti.

4. Le Rappresentanze Municipali incaricheranno cinque probi elettori di presiedere il Comizio del Comune o di ciascuna delle sue sezioni.— Essi saranno scelti possibilmente fra i membri del Consiglio Comunale, dove questo esiste; nomineranno nel proprio seno il Presidente, potranno farsi assistere da un Segretario scelto fra i votanti.— Tre almeno dei membri del Seggio così composto si troveranno sempre presenti alla votazione.

5. Nei giorni stabiliti per la votazione tutti gli Italiani delle dette Provincie, che hanno compiuto gli anni 21, sono domiciliati da sei mesi nel Comune, e non subirono condanna per crimine, o per furto o truffa, si presentano per dare il loro voto.— Il suffragio è dato per schede a scrutinio segreto.

6. Ogni votante, dichiarando il proprio nome e cognome, consegnerà al Presidente la propria scheda.— Ove sorga il dubbio intorno alla sua ammissibilità all'esercizio del diritto di voto, il Seggio, quando non basta la semplice notorietà, decide colla scorta dei registri anagrafici, facendone menzione nel verbale.— Contro questa decisione non è ammesso reclamo.— Il

have a right to divide the commune into such number of sections as they shall deem suitable. The same privileges shall belong to the municipal boards or communal deputations of the communes divided into fractions, or which number more than fifty voters.

4. The representative municipal bodies shall charge five trustworthy electors with the duty of presiding over the assembly of the commune and of each of its sections. They shall be chosen, if possible, from among the members of the communal council, where such exists; they shall appoint a president from among their own members, and may engage the assistance of a secretary chosen from among the voters. At least three of the members of the board thus formed shall always be present at the voting.

5. On the days set for voting, all the Italians of the said Provinces who have reached the age of 21 years, have been domiciled for six months in the Commune, and have not been sentenced for any crime, including larceny or false pretenses, shall appear in order to cast their vote. The voting shall be by secret ballot.

6. Each voter, after declaring his christian and family name, shall deliver his ballot to the president. When any doubt arises as to his admissibility to the exercise of the right of suffrage, the board, if public knowledge is not sufficient, shall decide on the basis of the census registers, making a note of the fact in the record. No appeal shall lie against

Presidente deponendo la scheda nell' urna farà notare da uno dei componenti il Seggio o dal Segretario il nome del votante.

7. Alle ore cinque del giorno 21 l'urna sarà pubblicamente suggellata dai componenti il Seggio, i quali sono responsabili dalla sua custodia e della integrità dei suggelli durante la notte.

8. In ambedue i giorni il Presidente stenderà verbale dello scrutinio.

9. Chiuso lo scrutinio segreto del giorno 22, le urne suggellate ed i verbali redatti a termini dei precedenti articoli saranno dal Presidente e da due almeno dei membri del Seggio accompagnati alla Pretura, nella cui giurisdizione è compresso il Comune, e consegnati al Pretore, il quale insieme con essi e pubblicamente fa lo spoglio dei voti, redigendone verbale.

10. Tutti gli Italiani delle Provincie liberate che si trovassero, o per ragioni di pubblico servizio, o per qualsiasi altro motivo in qualunque parte del Regno, potranno presentarsi al Pretore del mandamento, nel quale dimorano, e dichiarare per iscritto la loro volontà sulla formola indicata nell'art. 1° del presente Decreto.

11. I Pretori che avessero operato lo spoglio della votazione o ricevute le dichiarazioni nei sensi dei due precedenti articoli, trasmetteranno immediatamente i verbali da loro firmati, che constatano il risultato della votazione, alla Presidenza del Tribunale

this decision. The president, depositing the ballot in the urn, shall state the name of the voter to one of the members of the board or to the secretary.

7. At 5 o'clock P. M. on the 21st, the urn shall be publicly sealed by the members of the board, who shall be responsible for its keeping and for the integrity of the seals during the night.

8. On both days the president shall draw up a record of the voting.

9. When the secret balloting is terminated on the 22d, the urns sealed, and the records drawn up according to the foregoing articles, they shall be accompanied by the president and at least two members of the board to the praetor's office in whose jurisdiction the commune is situated, and delivered to the praetor, who, together with them, and publicly, shall count the votes, drawing up a formal minute of the act.

10. All Italians of the liberated provinces who, for reasons of public service or any other reasons, are situated in any part of the Kingdom, may appear before the praetor of the district in which they reside and declare in writing their will on the form indicated in Art. 1 of the present decree.

11. The praetors who have made the count of the vote or received the declarations according to the meaning of the two preceding articles, shall immediately transmit the minutes signed by them and stating the result of the vote, to the president of the

di Appello di Venezia. Gli altri atti saranno conservati nell'archivio della Pretura.

12. Nel giorno 27 ottobre il Tribunale di Appello di Venezia, radunato in seduta pubblica, eseguirà lo spoglio generale dei risultati parziali, e lo trasmetterà immediatamente al Ministro della Giustizia.

13. Le funzioni domandate dal presente Decreto alle Preture saranno nelle città esercitate dalle Preture urbane e civili.

Ordiniamo, ecc.

*Dato a Firenze addì 7 ottobre* 1866.

VITTORIO EMANUELE — RICASOLI — BORGATTI.

Court of Appeals of Venice. The other documents shall be preserved in the archives of the praetor's office.

12. On October 27 the Court of Appeals of Venice, convened in public session, shall make a general count of the partial returns and transmit the result immediately to the Minister of Justice.

13. The duties required by the present decree of the praetor's offices shall be performed in the cities by the urban and civil praetors.

We ordain, etc.

*Given at Florence, October* 7, 1866.

VICTOR EMANUEL, RICASOLI, BORGATTI.

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## *Formal Minute of the Delivery of Venetia to Venetian Authorities by the French Commissioner. Signed at Venice, October* 19, 1866[1]

L'an 1866, le 19 octobre, à huit heures du matin, se sont réunis: d'une part, M. le général de division Le Boeuf, aide de camp de S. M. l'Empereur des Français, grand officier de l'ordre impérial de la Légion d'honneur, etc., Commissaire de Sa Majesté en Vénétie;

Et d'autre part, M. le comte Luigi Michiel, M. le chevalier Edouard de Betta et le docteur Achille Kelder, formés en commission;

Et là M. le général Le Boeuf a prononcé l'allocution suivante:

" Messieurs, délégué par l'Em-

In the year 1866, on the 19th of October, at eight o'clock in the morning, there were met: on the one part, General of Division Le Boeuf, aide-de-camp of His Majesty the Emperor of the French, Grand Officer of the Imperial Order of the Legion of Honor, etc., Commissioner of His Majesty in Venetia;

And on the other part, Count Luigi Michiel, Chevalier Edouard de Betta and Doctor Achille Kelder, forming a commission;

And thereupon General Le Boeuf pronounced the following address:

" Gentlemen, delegated by the Em-

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[1] Martens, *N. R. G.*, vol. 18, p. 418.

pereur Napoléon III pour recevoir des autorités militaires autrichiennes les forteresses et territoires de vos provinces, il me reste à remettre en vos mains les droits qui ont été cédés à Sa Majesté. C'est pour accomplir cette dernière partie de sa tâche que je vous ai convoqués.

"Vous savez déjà dans quel but l'Empereur a accepté la cession de la Vénétie. Sa Majesté s'en est expliqué dans une lettre adressée, en date du 11 août, au roi d'Italie, et pour vous instruire des intentions de mon auguste Souverain, je ne saurais mieux faire que de vous donner lecture de ce document:

'Monsieur mon frère,— J'ai appris avec plaisir que Votre Majesté avait adhéré à l'armistice et aux préliminaires de paix signés entre le Roi de Prusse et l'Empereur d'Autriche. Il est donc probable qu'une nouvelle ère de tranquillité va s'ouvrir pour l'Europe. Votre Majesté sait que j'ai accepté l'offre de la Vénétie pour la préserver de toute dévastation et prévenir une effusion de sang inutile. Mon but a toujours été de la rendre à elle-même afin que l'Italie fût libre des Alpes à l'Adriatique. Maîtresse de ses destinées, la Vénétie pourra bientôt par le suffrage universel exprimer sa volonté.

'Votre Majesté reconnaîtra que, dans ces circonstances, l'action de la France s'est encore exercée en faveur de l'humanité et de l'indépendance des peuples.

'Je vous renouvelle l'assurance des

peror Napoleon III to receive from the Austrian Military authorities the fortresses and territories of your provinces, it remains for me to deliver into your hands the rights which have been ceded by His Majesty. It is in order to accomplish this last part of my task that I have convoked you.

"You know already for what purpose the Emperor has accepted the cession of Venetia. His Majesty has explained it in a letter sent under date of August 11th to the King of Italy, and in order to inform you as to the intentions of my august Sovereign, I can do no better than to read to you this document:

'Exalted Brother,— I have learned with pleasure that Your Majesty has adhered to the armistice and to the preliminaries of peace signed between the King of Prussia and the Emperor of Austria. It is thus probable that a new era of tranquillity is about to dawn for Europe. Your Majesty knows that I have accepted the offer of Venetia in order to preserve it from any devastation and to prevent a useless shedding of blood. My object has always been to deliver it over to itself so that Italy might be free from the Alps to the Adriatic. Mistress of her destinies, Venetia will be able shortly, by universal suffrage, to express her will.

'Your Majesty will recognize that, in these circumstances France is again acting in the interest of humanity and of the independence of peoples.

'Reaffirming my sentiments of high

sentiments de haute estime et de sincère amitié avec lesquels je suis

'De Votre Majesté Le bon frère

'NAPOLÉON.

'*Saint-Cloud, le* 11 *août* 1866.'"

"Messieurs, l'Empereur connaît depuis longtemps les aspirations de votre pays. Sa Majesté sait qu'il désire être réuni aux Etats du Roi Victor-Emmanuel, avec qui Elle a combattu naguère pour l'affranchissement de l'Italie. Mais, par respect pour le droit des nationalités et pour la dignité des peuples, l'Empereur a voulu laisser aux Vénitiens le soin de manifester leur vœu. Ils sont dignes de comprendre cet hommage rendu à la souveraineté populaire sur laquelle reposent les gouvernements de la France et de l'Italie. L'Empereur témoigne ainsi une fois de plus de son respect pour les principes qu'il s'est toujours fait un honneur de défendre, et des sentiments d'amitié dont il a donné des marques réitérées à toute la Péninsule. Sa Majesté est heureuse d'avoir secondé, par les efforts de sa politique, le patriotisme et le courage de la nation italienne."

M. le comte Michiel, au nom des membres de la commission, a répondu en italien dans les termes suivants:

"Quand, en 1859, les armées alliées triomphèrent en Lombardie de nos oppresseurs, nous croyions, au cri: des Alpes à l'Adriatique, notre salut achevé; la main glacée de la diploma-

esteem and of sincere friendship, I remain

'Your Majesty's well disposed brother

'NAPOLEON.

'*Saint Cloud, August* 11*th,* 1866.'"

"Gentlemen, the Emperor has long been aware of the aspirations of your country. His Majesty knows that it desires to be united with the States of King Victor Emmanuel, by whose side it has lately fought for the enfranchisement of Italy. But, out of respect for the right of nationalities and the dignity of peoples, the Emperor has wished to leave to the Venitians the function of manifesting their will. They can be trusted to understand this homage rendered to that popular sovereignty on which are founded the governments of France and of Italy. The Emperor thus once more gives testimony of his respect for the principles which he has always made it a point of honor to defend, and of the sentiments of friendship of which he has given reiterated proofs to the whole Peninsula. His Majesty is happy to have aided, through his policy, the patriotism and courage of the Italian nation."

Count Michiel, in the name of the members of the commission, answered in Italian, in the following terms:

"When, in 1859, the allied armies triumphed over our oppressors in Lombardy, we believed that by the cry, 'The Alps to the Adriatic' our safety was achieved; the icy hand of diplo-

tie nous enleva cette certitude. Mais cette main n'a pu comprimer les battements du cœur de ce peuple, qui a redoublé les sacrifices, confiant dans son avenir qui était l'avenir de l'Italie, ni détourner son puissant allié de coopérer à la délivrance de ceux qui avaient su s'en montrer dignes.

" Nous, et avec nous tous les Vénitiens, nous vénérons l'œuvre de la Providence et nous remercions le magnanime allié de notre bienaimé Roi, qui, pendant que l'on versait un sang généreux sur les champs de bataille, a hâté, par sa puissante médiation le moment de notre indépendance et la réunion au royaume d'Italie."

Ensuite, M. le général Le Boeuf a pris de nouveau la parole, et a déclaré ce qui suit:

" Au nom de S. M. l'Empereur des Français, et en vertu des pleins pouvoirs et mandements qu'il a daigné nous conférer,

" Nous général de division Le Boeuf, aide de camp de S. M. l'Empereur des Français, grand officier de l'Ordre impérial de la Légion d'honneur, etc., etc., Commissaire de Sa Majesté en Vénétie;

" Vu le Traité signé à Vienne, le 24 août 1866, entre S. M. l'Empereur des Français et S. M. l'Empereur d'Autriche, Roi de Hongrie et de Bohême, etc., etc., au sujet de la Vénétie;

" Vu la remise qui nous a été faite de ladite Vénétie, le 16 octobre 1866, par M. le général Moering, commandeur de la Couronne de fer, etc., etc.,

macy took away this certainty from us. But that hand could not subdue the heart-beats of this people, who have redoubled their sacrifices, trusting in their future which was the future of Italy, nor could it deflect its powerful ally from cooperating in the deliverance of those who had known how to show themselves worthy of it.

" We, and with us all Venetians, venerate the work of Providence and give thanks to the magnanimous ally of our beloved King, who, by his powerful mediation, while generous blood was still being shed on the battlefield, has hastened the moment of our independence and union with the Kingdom of Italy."

General Le Boeuf thereupon resumed his address and made the following statement:

" In the name of H. M. the Emperor of the French, and by virtue of the full and mandatory powers which he has been pleased to confer upon us, we, General of Division Le Boeuf, Aide-de-camp to H. M. the Emperor of the French, Grand Officer of the Imperial Order of the Legion of Honor, etc., etc., Commissioner of His Majesty in Venetia;

" In view of the Treaty signed at Vienna, August 24, 1866, between H. M. the Emperor of the French and H. M. the Emperor of Austria, King of Hungary and of Bohemia, etc., etc., on the subject of Venetia;

" In view of the delivery of the said Venetia, which has been made to us on October 16, 1866, by General Moëring, Commander of the Iron

Commissaire de S. M. l'Empereur d'Autriche en Vénétie;

" Déclarons remettre la Vénétie à elle-même pour que les populations, maîtresses de leur destinée, puissent exprimer librement, par le suffrage universel, leurs vœux au sujet de l'annexion de la Vénétie au Royaume d'Italie."

De son côté, M. le comte Michiel, au nom de la commission, a déclaré donner acte à M. le général Le Boeuf de la remise faite de la Vénétie à elle-même au nom de S. M. l'Empereur des Français dans les termes et aux clauses énoncés ci-dessus.

En foi de quoi, le présent procès-verbal, qui sera déposé aux archives nationales, a été signé par le Commissaire de S. M. l'Empereur des Français, et par MM. les membres de la commission.

Fait en double expédition à Venise, le 19 octobre 1866.

*Le Commissaire de S. M. l'Empereur des Français,*
Général Le Boeuf.

Étaient présents et ont signé:

Léon Pillet, *consul général de France; le capitaine de frégate,* E. Vicary.

*Les membres de la commission:* Luigi Michiel, Edoardo de Betta, Achille Kelder.

*Le capitaine de vaisseau,* J. de Surville.

Crown, etc., etc., Commissioner of H. M. the Emperor of Austria in Venetia;

" We declare the delivery of Venetia to herself in order that the people, mistress of their destinies, shall be able, by universal suffrage, to freely express their wishes on the subject of the annexation of Venetia to the Kingdom of Italy."

On his part Count Michiel, in the name of the Commission, makes due acknowledgment to General Le Boeuf of the delivery made of Venetia to herself in the name of H. M. the Emperor of the French under the terms and the conditions announced above.

In token of which the present formal minute, which shall be deposited in the national archives, has been signed by the Commissioner of H. M. the Emperor of the French, and by the Members of the Commission.

Done in duplicate, at Venice, October 19, 1866.

*Commissioner of H. M. the Emperor of the French,*
General Le Boeuf,

Present and witnesses:

Leon Pillet, *Consul-General of France; the captain of frigate,* E. Vicary.

*Members of the Commission:* Luigi Michiel, Edoardo de Betta, Achille Kelder.

*Sea captain,* J. de Surville.

### *Formal Minute of the Result of the Plebiscite of the Venetian and Mantuan Provinces. October 27,* 1866 [1]

In Venezia, addì 27 ottobre 1866, ore 9 antimeridiane, nella Sala detta dello Scrutinio, nel Palazzo Ducale.

L'art. 12 del Reale Decreto 7 ottobre 1866 commette a questo Tribunale di Appello di procedere oggidì in Seduta pubblica allo spoglio generale dei risultati parziali delle votazioni già seguite a'sensi dell'art. 1 dello stesso Decreto nei Comizi dei Cittadini delle Provincie Italiane testè liberate dalla occupazione Austriaca, convocati nei giorni 21 e 22 ottobre andante, per dichiarare la loro volontà sulla formula:

"*Dichiariamo la nostra unione al Regno d'Italia sotto il governo monarchico-costituzionale del Re Vittorio Emmanuele II e de' suoi successori.*"

Ai risultati parziali di quelle votazioni debbono eziandio aggiungersi i voti degli Italiani delle Provincie testè liberate, che, dimorando in altra parte del Regno, hanno dichiarata per iscritto la loro volontà innanzi al Pretore del Mandamento della loro dimora, giusta l'art. 10 del citato Decreto 7 ottobre.

Per ottemperare al Decreto ed in conformità degli Avvisi ieri pubblicati, il Tribunale di Appello mosse dal Palazzo di sua residenza alle ore 8½ di questa mattina, recando seco sug-

Venice, October 27th, 1866, at 9 o'clock A. M. in the Sala dello Scrutinio, in the Doge's Palace.

Article 12 of the Royal Decree of the 7th of October, 1866, instructed this Court of Appeals to proceed today in public session to the general count of the partial results of the voting already executed, according to the tenor of Article I of the same decree by the citizens of the Italian provinces just liberated from the occupation of Austria, met in popular assemblies, convoked on the 21st and 22nd day of October last, to declare their will in the formula:

"*We Declare our Union with the Kingdom of Italy under the Constitutional Monarchical Government of King Victor Emanuel II and His Successors.*"

To the partial result of this voting there ought also to be added the votes of the Italians of the provinces just liberated, who, living in other parts of the Kingdom, have registered their votes with the praetor in the district in which they reside, in conformity with article 10 of the aforementioned decree of October 7th.

In order to comply with the decree and in order to work in conformity with the notification made public yesterday, the Court of Appeals moved from its palace of residence at 8:30

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[1] *Le Assemblee,* vol. 2, pp. 727–730.

gellati gli spogli parziali ed i Verbali pervenuti dalle diverse Preture e si trasferì nel Palazzo Ducale, dove prese seggio nella sala detta dello Scrutinio.

Seggono in Tribunale:

S. E. il Signor Comm. Sebastiano Tecchio, *Presidente* ed i Signori Consiglieri d'Appello:

Giuseppe Nob. Mutinelli
Dott. Pietro Boldrin
Lodovico Lazzaroni
Carlo Combi
Dott. Abbondio Pradelli
Paolo Castagna
Giov. Batt. Ederle
Angelo Nob. Bosio
Angelo Nob. Ridolfi
Cav. Giuseppe Ruffoni
Giuseppe Grubissich
Dott. Giovanni Brugnolo
Antonio Carraro
Dott. Vincenzo Sellenati
Dott. Francesco Provasi
Dott. Angelo Puccinali, *Consigliere del Trib. Comm. Marittimo di Venezia, Sussidiario presso l'Appello.*

Il Pubblico Ministero è rappresentato dal Sostituto Procuratore Superiore di Stato Dott. Valentino Forlatti.

Tengono ufficio di Segretari d'Appello:

Il signor Aggiunto Segretario Federico Nob. Gambert, l'Aggiunto in sussidio Sig. Dott. Antonio Pasini, ed i Signori Ascoltanti in sussidio

this morning, bringing with it sealed, the partial results and the official reports of the decisions arrived at in the several administrative districts and transferred itself to the Ducal Palace, where it took its position in the Sala dello Scrutinio.

There were sitting in the Court:

His Excellency, the Commendatore Sebastiano Tecchio, *President,* and the Councillors of Appeal:

Giuseppe Mutinelli
Dr. Pietro Boldrin
Lodovico Lazzaroni
Carlo Combi
Dr. Abbondio Pradelli
Paola Castagna
Giov. Batt. Ederle
Angelo Bosio
Angelo Ridolfi
Cav. Giuseppe Ruffoni
Giuseppe Grubissich
Dr. Giovanni Brugnolo
Antonio Carraro
Dr. Vincenzo Sellenati
Dr. Francesco Provasi
Dr. Angelo Puccinali, *Councillor of the Maritime Commercial Tribunal of Venice, temporarily attached to the Court of Appeal.*

The State is represented by the Deputy Attorney General of the State, Doctor Valentino Forlatti.

The following gentlemen served as Secretaries of the Court of Appeals:

The noble Federico Gambert, Assistant Secretary, Doctor Antonio Pasini, Deputy Assistant Secretary and Drs. Emilio Federici and Ja-

Dottor Emilio Federici e Jacopo Scolari.

Per invito del Presidente intervennero ad assistere alla giudiziale Seduta:

Il Consigliere dei Conti Signor Pietro Gianasso ed i Signori Ufficiali Contabili Antonio Locatelli, Gaetano Zerbetti e Paolo Albani.

La parte della Sala non occupata dal Tribunale è aperta al pubblico accesso.

Hanno posti distinti i Consoli delle Potenze estere residenti in Venezia, i Rappresentanti le Autorità Politica, Giudiziaria e Militare del Regno, il Municipio, l'Istituto Veneto di Scienze, Lettere e Arti ed altri Corpi accademici, i Capi dell'Istruzione pubblica, gli Avvocati, Notai, Giornalisti ed altre persone specialmente invitate. Il servizio d'onore e d'ordine è affidato alla Guardia Nazionale.

Il Presidente, ordinato che sieno deposti sul banco, suggellati quai sono, gli spogli parziali e relativi documenti pervenuti dalle diverse Preture, e dichiarando aperta la Seduta, pronunciò queste parole:

Signori!

Il Tribunale di Apello, al quale ho l'onore di presiedere, è oggi chiamato all'ufficio di riconoscere mediante lo spoglio generale delle votazioni parziali, se i Cittadini delle Provincie testè liberate dall'occupazione Austriaca siensi pronunciati, e con quanta

copo Scolari, Auditors, temporarily appointed.

At the invitation of the President there were present to aid in the judicial session:

The Councillor of Accounts, Pietro Gianasso, and the Auditors, Antonio Locatelli, Gaetano Zerbetti and Paolo Albani.

The part of the hall not occupied by the Tribunal was open to the public.

There were present, occupying special places, the Consuls of the foreign Powers residing in Venice, the Representatives of the Political, Judicial, and Military Authority of the Kingdom, the Municipality, the Venetian Institute of Sciences, Literature and Art and other academic bodies, the Directors of Public Instruction, barristers, solicitors, journalists and other people, specially invited. The guard of honor was provided by the National Guard.

The President, having given orders that the partial counts of ballots and the documents concerning them which have come from the various praetorships should be deposited on the bench, sealed as they are, and having declared the meeting open, spoke as follows:

Gentlemen!

The Court of Appeals, over which I have the honor of presiding, is summoned today to the duty of discovering through the general count of the partial votes, whether the citizens of the provinces recently freed from Austrian occupation have decided,

pienezza di consentimento, sulla formola scritta nel Reale Decreto 7 ottobre andante: Dichiariamo la nostra unione al Regno Monarchico-Costituzionale del Re Vittorio Emanuele II e de'suoi Successori.

Più nobile e gradito ufficio di codesto non poteva venirci commesso; avvegnachè, ezandio prima che si ponga mano all'opera, sia universale la convinzione che il Plebiscito è riuscito tale da metter suggello alle aspirazioni di questa elettissima e dilettissima parte d'Italia, rese evidenti per sì lunga via di dolori, dei quali non giova richiamare la memoria in questo faustissimo giorno di letizia.

Signori!

Per agevolare e rendere ordinato lo spoglio, saranno prima separati i Protocolli pervenuti all'Appello da ciascheduna delle Provincie Venete e da quella di Mantova, cominciando dalla Provincia di Venezia e via via progredendo sino al compiuto esaurimento.

Di ognuna di queste Provincie saranno registrati e manifestati i voti quali emergono dai Verbali a noi trasmessi dalle rispettive Preture Urbane e Foresi; sicchè verremo partitamente a rilevare i voti delle distinte Provincie.

Indi terremo nota e daremo conto dei voti degli Italiani che a queste stesse Provincie appartengono, ma di-

and with what fulness of assent, on the formula inscribed in the Royal Decree of October 7 of the current year: "We Declare Our Union with the Monarchical Constitutional Kingdom of King Victor Emanuel II and of His Successors."

A nobler and more welcome duty than this could not have been imposed on us; in as much as, even before we set hand to the work, the conviction is universal that the plebiscite has turned out such as to set a seal on the aspirations of this most beautiful and beloved part of Italy, which have been made manifest through so long a road of sorrows, the memory of which we do not care to recall on this most fortunate day of rejoicing.

Gentlemen!

In order to facilitate the count and to make it orderly, we will first take separately the protocols which have come to the Court of Appeals from each one of the Venetian Provinces and from the Province of Mantua, beginning with the Province of Venice, and proceeding in order until all have been covered.

The votes from each of these provinces will be registered and shown just as they are recorded in the minutes transmitted to us by the respective city and country praetorships; so that we shall be able to keep them distinct in counting the votes of the separate provinces.

Next we shall take account and give the total of the votes of the Italians who belong to these same provinces, morano in altre parti del Regno, ed hanno espressa la loro volontà sulla formola dianzi riportata, nei modi divisati dall'articolo 10 del Reale Decreto 7 ottobre.

Da ultimo compileremo il risultamento complessivo dei raccolti suffragi.

In seguito a queste parole del Presidente, sciolti i suggelli degli involti si diede principio all'operazione alla quale presero parte tutti i componenti la seduta giudiziale.

. . . . .

*Omissis*

Ultimato così lo spoglio dei voti e verificate le cifre, tutti i componenti la Seduta giudiziale si levarono in piedi, e il Presidente fece la proclamazione che segue:

Sulla formula: *Dichiariamo la nostra Unione al Regno d'Italia sotto il Governo Monarchico-Costituzionale del Re* VITTORIO EMANUELE II *e de' suoi Successori,* lo spoglio generale dei voti dei Cittadini delle Provincie Italiane testè liberate dall'occupazione Austriaca, ha dato questi risultamenti:

but who dwell in other parts of the Kingdom, and have expressed their wishes concerning the aforesaid formula in the methods devised by article 10 of the royal decree of October 7.

Finally, we shall add together the several results from the collected votes.

Following these words of the President, the seals of the parcels were removed and the operation of counting was begun, in which all those forming part of the judicial session took part.

. . . . .

*Omission*

The count of the votes being thus completed and the figures verified, all those composing the judicial session arose, and the President made the following declaration:

On the formula: "*We Declare our Union with the Kingdom of Italy under the Monarchical-Constitutional Government of King* VICTOR EMANUEL II *and of His Successors,*" the general count of the votes of the citizens of the Italian Provinces, recently freed from Austrian occupation, has given these results:

| | |
|---|---|
| Voti validi (*Valid votes*) | N. 641,827 |
| Schede nulle (*Void ballots*) | 370 |
| Dei voti validi sono pel *si*<br>(*Valid ballots for the affirmative*) | N. 641,758 |
| Dei voti validi sono pel *no*<br>(*Valid ballots for the negative*) | 69 |

Non appena ciò proclamato, le persone che si trovavano stipate nell' Udienza proruppero in applausi unanimi, fragorosissimi, acclamando l'Italia e il suo Re.

As soon as this was proclaimed the persons who were crowded in the audience room broke out into applause that was unanimous and most noisy, acclaiming Italy and her King.

E il Presidente ad alta voce: In nome dell'Italia e del Re dichiaro sciolta la Seduta.

Indi per secondare le mossegli istanze, il Presidente si fece al gran verone che guarda la piazzetta di S. Marco, dove era raccolto infinito numero di Popolo. E di là disse solennemente:

And the President in a loud voice: "In the name of Italy and of the King I declare the session dissolved."

In accordance with the requests of those about him, the President stepped out on the great balcony which looks upon the Piazetta di San Marco, where an infinite number of people had gathered. And from there he said solemnly:

*Cittadini!*

Il risultato finale del Plebiscito degli Italiani delle Provincie Venete e di quella di Mantova, testè liberate dall'occupazione Austriaca, fu dal Tribunale di Appello riconosciuto e pubblicato nei termini che riferisco:

*Citizens!*

The final result of the plebiscite of the Italians of the Venetian Provinces and that of Mantua, recently freed from Austrian occupation, was determined and announced by the Court of Appeals, in the words which I repeat:

| | |
|---|---|
| Voti datu validamente<br>(*Votes validly cast*) | N 641,827 |
| E di questi soli<br>(*And of these only*) | 69 pel *No*<br>(*are No*) |
| Tutti gli altri<br>(*All the others*) | 641,758 pel *Si*[1]<br>(*are Yes*) |

VIVA L'ITALIA! VIVA IL RE!

Senza più il Presidente si ritirava, e il Popolo con gioia ineffabile ripetea quegli evviva.

"LONG LIVE ITALY! LONG LIVE THE KING!"

Thereupon the President withdrew, and the people with unspeakable joy repeated those hurrahs.

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[1] Nella seduta del 31 ottobre 1866, constatato che nello spoglio dei voti del circondario della Pretura di Rovigo erano stati compresi i voti affermativi dati nella città di Rovigo ma per errore omessi quelli degli altri comuni di quel distretto e che inoltre dovevano esservi aggiunti alcuni altri voti dati da cittadini appartenenti alle provincie testè liberate dall' occupazione austriaca ma dimoranti in altre parti del Regno, si dichiarava doversi registrare e notificare l'ultimo risultamento del Plebiscito nei seguenti termini:

| | Voti validi | Voti pel Sì | Voti pel No | Schede nulle |
|---|---|---|---|---|
| Cifre pubblicate nel 27 ottobre ... | 641,827 | 641,758 | 69 | 370 |
| Cifre aggiunte come sopra ....... | 5,488 | 5,488 | .. | 1 |
| | 647,315 | 647,246 | 69 | 371 |

(*Translation*):

At the sitting of October 31, 1866, it having been shown that in the count of the votes of the district of the praetorship of Rovigo, the affirmative votes given in the City of Rovigo

Poi furono riposte in buste separate e distinte secondo le rispettive loro provenienze, onde farne un inserto da custodirsi nell'Archivio del Tribunale di Appello, tutte le carte venute al banco del Magistrato e prese in esame all'atto dello spoglio.

E infine fu redatto, letto, approvato, sottoscritto da tutti i componenti la Seduta giudiziale e munito del suggello d'Ufficio, il presente processo Verbale in quattro originali; l'uno dei quali sarà deposto nelle mani di S. M. il Re, l'altro in quelle di S. E. il Signor Ministro Guardasigilli, il terzo negli Archivi generali del Regno e il quarto, insieme colle carte or ora accennate, nell'Archivio del Tribunale di Appello.

SEBASTIANO TECCHIO, *Presidente.*

*Consiglieri*

Giuseppe Mutinelli
Lodovico Lazzaroni
Abbondio Pradelli
Giov. Batt. Ederle
Angelo Ridolfi
Giuseppe Grubissich
Antonio Carraro
Francesco Provasi

Then all the papers which had come to the Magistrate's bench and had been examined in the counting of the votes, were replaced in separate and distinct folders, according to their respective places of origin, so as to be inserted and preserved in the Archives of the Court of Appeals.

And, finally, the present report was drawn up, read, approved, signed by all the members of the Judicial Session, and sealed with the official seal, in four original copies; one of which will be placed in the hands of H. M. the King, another in those of H. E. the Minister Keeper of the Seals, the third in the general Archives of the Kingdom, and the fourth, together with the papers above mentioned, in the archives of the Court of Appeals.

SEBASTIANO TECCHIO, *President.*

*Councillors*

Giuseppe Mutinelli
Lodovico Lazzaroni
Abbondio Pradelli
Giov. Batt. Ederle
Angelo Ridolfi
Giuseppe Grubissich
Antonio Carraro
Francesco Provasi

had been included, but by mistake those of the other communes of that district had been omitted, and that moreover there should have been added some other votes cast by citizens belonging to the provinces recently freed from the Austrian occupation, but dwelling in other parts of the Kingdom, it was declared that the final results of the plebiscite should be registered and proclaimed in the following terms:

| | Valid Votes | Ayes | Noes | Void Ballots |
|---|---|---|---|---|
| Figures published Oct. 27......... | 641,827 | 641,758 | 69 | 370 |
| Figures added as above .......... | 5,488 | 5,488 | .. | 1 |
| | 647,315 | 647,246 | 69 | 371 |

| | |
|---|---|
| Dott. PIETRO BOLDRIN | Dr. PIETRO BOLDRIN |
| CARLO COMBI | CARLO COMBI |
| PAOLO CASTAGNA | PAOLO CASTAGNA |
| ANGELO BOSIO | ANGELO BOSSIO |
| GIUSEPPE RUFFONI | GIUSEPPE RUFFONI |
| GIOVANNI Dott. BRUGNOLO | Dr. GIOVANNI BRUGNOLO |
| VINCENZO Dott. SÈLLENATI | Dr. VINCENZO SELLENATI |
| Dott. ANGELO PICCINALI | Dr. ANGELO PICCINALI |
| VALENTINO Dott. FORLATTI, *Sost. Proc. Sup. di Stato.* | Dr. VALENTINO FORLATTI, *Deputy Attorney General.* |
| *Contabili* | *Accountants* |
| PIETRO GIANASSO, *Cons.* | PIETRO GIANASSO, *Counsellor* |
| GAETANO ZERBETTI, *Uff.* | GAETANO ZERBETTI, *Official* |
| ANTONIO LOCATELLI, *Uff.* | ANTONIO LOCATELLI, *Official.* |
| PAOLO ALBANI, *Uff.* | PAOLO ALBANI, *Official.* |
| *Segretari* | *Secretaries* |
| FEDERICO GAMBERT | FEDERICO GAMBERT |
| Dott. EMILIO FEDERICI | Dr. EMILIO FEDERICI |
| ANTONIO Dott. PASINI | Dr. ANTONIO PASINI |
| JACOPO SCOLARI | JACOPO SCOLARI. |

## *Royal Decree Uniting Venetia to the Kingdom of Italy. November* 4, 1866

| | |
|---|---|
| VITTORIO EMANUELE II | VICTOR-EMANUEL II |
| PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE | BY THE GRACE OF GOD, AND THE WILL OF THE NATION, |
| RE D'ITALIA | KING OF ITALY: |
| Vista la legge del 17 marzo 1861, n. 4671; | In view of the Law of March 17, 1861, No. 4671; |
| Visto il risultamento del suffragio nazionale, col quale i cittadini delle provincie italiane liberate, convocati nei comizi il giorno 21 ed il 22 ottobre scorso, hanno dichiarata l'unione al regno d'Italia colla monarchia costitu- | In view of the result of the national suffrage, by which the citizens of the liberated Italian provinces summoned to the polls on October 21st, and 22nd of last October, have declared for union with the Kingdom of Italy un- |

zionale di Vittorio Emanuele II e suoi successori;

Sentito il Consiglio dei ministri;

Abbiamo decretato e decretiamo:

Art. 1. Le provincie della Venezia e quella di Mantova fanno parte integrante del regno d'Italia.

Art. 2. L'articolo 82 dello Statuto sarà applicabile alle provincie suddette fino a che le provincie medesime saranno rappresentate nel Parlamento nazionale.

Art. 3. Il presente decreto sarà presentato al Parlamento per essere convertito in legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Torino, addì 4 novembre 1866.

VITTORIO EMANUELE.

Ricasoli — Borgatti — Scialoja — Depretis — Cugia — Jacini — Cordova — Berti — Visconti-Venosta.

der the Constitutional Monarchy of Victor Emmanuel II and his successors.

Having heard the Council of Ministers we have decreed and decree:

Article 1. That the provinces of Venetia and that of Mantua form an integral part of the Kingdom of Italy.

Art. 2. That Article 82 of the Constitution shall be applicable to the aforesaid provinces until such time as these provinces shall be represented in the National Parliament.

Art. 3. The present decree shall be presented to Parliament to be converted into law.

We order that the present decree, sealed with the Seal of State, shall be entered in the official collection of laws and decrees of the Kingdom of Italy, requiring of all whom it may concern to observe it and to see that it is observed.

Done at Turin, November 4th, 1866.

VICTOR EMANUEL

Ricasoli — Borgatti — Scialoja — Depretis — Cugia — Jacini — Cordova — Berti — Visconti-Venosta.

### *Ratification of the Decree of Union. January* 30, 1867 [1]

*Progetto di legge presentato alla Camera dei deputati dal Presidente del Consiglio dei ministri, ministro dell' interno* (*Ricasoli*), *nella tornata del* 30 *gennaio* 1867.

*Bill presented to the Chamber of Deputies by the President of the Council of Ministers, the Minister of the Interior* (*Ricasoli*) *at the session of the* 30*th of January,* 1867.

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[1] *Le Assemblee,* vol. 2, p. 734. The bill was approved in the Chamber in the session of May 16, 1867, and in the Senate on May 25. It is cited as the Law of July 18, 1867. No. 3841.

SIGNORI!

Appena cessata la dominazione straniera che teneva separate le provincie venete dall'Italia, il Governo del Re chiamava i popoli della Venezia ad esprimere in solenni Comizi la loro volontà di unirsi al regno d'Italia sotto il Governo costituzionale di Re Vittorio Emanuele II e de' suoi successori.

Poichè quelle nobili provincie avevano già sino dal 1848 manifestata questa stessa volontà, facendo prova di valore, di cui rimarrà imperitura la memoria, ed avevano con diciassette anni di resistenza e di patimenti consacrato quel generoso proposito, il decreto 7 ottobre che intimava il solenne plebiscito ebbe principalmente per iscopo di rendere omaggio al principio onde s'informa il nostro diritto costituzionale.

Voi, o signori, sapete in che modo rispondessero i popoli della Venezia all'appello che in nome d'Italia fece loro il Governo del Re.

Nei giorni 21 et 22 ottobre, 647,246 *sì* raccolti nelle urne elettorali delle provincie venete chiusero per sempre la storia del dominio straniero in Italia.

Conosciuto il risultato del suffragio nazionale, il Governo di S. M. con decreto del 4 novembre 1866, proclamava che le provincie della Venezia e di Mantova facevan parte integrante del regno d'Italia, e vi promulgava l'articolo 82 dello Statuto perchè vi

GENTLEMEN:

Scarcely had the foreign domination ceased which held apart the Venetian provinces of Italy, when the King's Government called the people of Venice to express in solemn popular assemblies their will to unite themselves to the Kingdom of Italy under the constitutional government of King Victor Emanuel II and of his successors.

Because these noble provinces have manifested this same desire since 1848, giving proof of valour, which will remain an imperishable memory; and having by seventeen years of resistance and of suffering consecrated this generous proposition, the decree of October 7 which announced the solemn plebiscite, had for its principal purpose that of rendering homage to the principle on which our constitutional law is based.

You, gentlemen, know in what manner the people of Venice responded to the appeal which the Government of the King made to them in the name of Italy.

On the days of the 21st and 22nd of October, 647,246 affirmative votes were recorded in the electoral urns of the provinces of Venetia, and closed for ever the history of foreign domination in Italy.

The result of national suffrage once known, His Majesty's government, by a decree of the 4th of November, 1866, proclaimed that the provinces of Venetia and of Mantua formed an integral part of the Italian Kingdom, and promulgated Article 82 of the avesse effetto fino a che le provincie suddette fossero rappresentate nel Parlamento nazionale.

Adempiendo oggi la riserva contenuta dell'articolo 3 del predetto decreto, il referente ha l'onore di presentarlo al Parlamento acciò lo convalidi nelle forme volute dalla Costituzione.

Constitution, to take effect in order that the provinces above mentioned should be represented in the National Parliament.

Fulfilling to-day the reservation contained in Article 3 of the aforesaid decree, the speaker has the honor to present it to Parliament for the purpose of validating it in the form required by the Constitution.

### Progetto di Legge

Articolo unico. È data forza di legge al regio decreto 4 novembre 1866, n. 3300, col quale fu dichiarato che le provincie della Venezia e quella di Mantova fanno parte integrante del regno d'Italia.

### Bill

Article 1. Force of law is given to the royal decree of November 4, 1866, No. 3300, in which it was declared that the provinces of Venetia, and of Mantua form an integral part of the Kingdom of Italy.

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## Rome, 1870

### *Proclamation of Cadorna After the Taking of Rome. September* 20, 1870 [1]

Romani!

La bonta del diritto, e la virtù dell'esercito, mi hanno in poche ore condotto fra voi, rivendicandovi in libertà.

Omai l'avvenir vostro, quello della Nazione è nelle vostri mani. Forte dei vostri liberi suffragi l'Italia avrà la gloria di sciogliere finalmente quel gran problema, che sì dolorosamente affatica la moderna società.

Grazie, Romani, a nome anche dell'-

Romans!

The virtue of right and the valor of the army have in a few hours brought me among you, restoring you to liberty.

Henceforth your future and that of the Nation is in your hands.

By the strength of your free suffrage Italy will have the glory of finally settling, the great problem which has so unhappily affected modern society.

Thanks, Romans, in the name of the

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[1] *Le Assemblee*, vol. 9 Roma, vol. 4, p. 1089.

Esercito, delle liete accoglienze che ci faceste. L'ordine mirabilmente finora serbato, continuate a guardarlo; chè senz'ordine non v'è libertà.

Romani! la mattina del 20 settembre 1870, segna una data delle più memoriabili della Storia, Roma anche una volta è tornata, e per sempre, ad essere la grande Capitale d'una grande Nazione!

Viva il Re, Viva l'Italia.

Roma, il 21 settembre 1870.
*Il comandante generale il* IV *corpo d'esercito,*
R. Cadorna.

Army, for the joyous welcome you have given to us.

So far order has been wonderfully maintained; continue to guard it. Without order there is no liberty. Romans! The morning of September the 20th, 1870, will be a date among the most memorable in history. Rome has once more, and forever, become the great capital of a great nation!

Long live the King! Long live Italy!

Rome, September 21st, 1870.
*General Commanding the 4th Army Corps,*
R. Cadorna.

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## *Election of a Provisional Administrative Giunta by a Popular Assembly. September 22, 1870* [1]

### *Notice*

Romani!

Il Comizio popolare, convocato oggi alle ore 3 pomeridiane nell'Anfiteatro Flavio, al quale intervennero oltre 10,000 persone, eleggeva, quasi all'unanimità, a componenti la Giunta Provvisoria Amministrativa i seguenti cittadini; —

Romans!

The popular Assembly convoked at 3 p. m. today in the Flavian Amphitheatre, at which more than 10,000 persons were present, elected almost unanimously the following citizens as members of the Provisional Administrative Giunta:—

Mattia Montecchi — Alessandro Castellani — Giovanni Costa — Vincenzo Rossi — Felice Ferri — Pietro De Angelis — Augusto Silvestrelli — Duca D. Michele Caetani — Alessandro Avv. Cavallini — Filippo Avv. Bruni — Comte Luigi Amadei — Ingegnere Francesco Armellini — Avv. Luigi Boccafogli — Generale Pietro Rosselli — Ernesto Ranucci — Nino D'Andreis — Baldassare de'Principi Odescalchi — Francesco del Gallo — Felice Scifoni — Prof. Guido Baccelii — Prof. Pietro Rosa — Emanuele de'Principi Ruspoli — Ignazio de'

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[1] *British Parliamentary Papers,* Affairs of Rome [c. 247], p. 52.

Principi di Piombino — Gaetano Narducci — Achille Gori Mazzoleni — Pietro Camporesi — Gaetano de Nicolo — Dott. Carlo Maggiorani — Eugenio Agneni — Conte Michele Amadei — Vincenzo Tittoni — Avv. Francesco Tancredi — Filippo Costa — Luigi Simonetti — Avv. Raffaele Marchetti — Alessandro del Grande — Princ. Francesco Pallavicini — Augusto Castellani — Duca Sforza Cesarini — Avv. Biagio Placidi — Avv. Augusto Baccelli — Augusto Tittoni — Bosio dei Duchi Sforza Cesarini — Eugeni de'Principi Ruspoli.

Per la Presidenza,
(Firmato) Mattia Montecchi.

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## *Cadorna Appoints a Provisional Giunta. September 22,* 1870[1]

Il comandante generale del IV Corpo d'armata in forza dell'alta autorità conferitagli dal Governo del Re, anche all'effetto di promuovere la formazione della Giunta per la città di Roma,

DICHIARA

che la detta Giunta rimane definitivamente costituita dai seguenti cittadini, i quali entreranno immediatamente nell'esercizio delle relative funzioni:

Michele Caetani duca di Sermoneta, *Presidente* — Principe Francesco Pallavicini — Duca Francesco Sforza Cesarini — Emanuele dei principi Ruspoli — Principe Baldassare Odescalchi — Ignazio Boncompagni dei principi di Piombino — Professore Carlo Maggiorani — Avvocato Biagio Placidi — Avvocato Raffaele Marchetti — Avvocato Vincenzo Tancredi — Vincenzo Tittoni — Vincenzo

The General Commanding the 4th Army Corps, by virtue of the authority conferred upon him by the King's Government and in order to form a Giunta for the City of Rome.

DECREES

that the said Giunta shall be permanently composed of the following citizens, who will enter immediately into the exercise of their various functions:

Michele Caetani, Duke of Sermoneta, *President;* Prince Francesco Pallavicini; Duke Francesco Sforza Cesarini; Emanuel, of the Princes of Ruspoli; Prince Baldassare Odescalchi; Ignazio Boncompagni, of the Princes of Piombino; Carlo Maggiorani, Professor; Biagio Placidi, Adv.; Raffaele Marchetti, Adv.; Vincenzo Trancredi, Adv.; Vincenzo Tittoni; Vincenzo Rossi; Pietro de Angelis;

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[1] *Le Assemblee,* vol. 9, p. 1089.

Rossi — Pietro de Angelis — Achille Mazzoleni — Felice Ferri — Augusto Castellani — Filippo Costa — Alessandro Del Grande.

Roma, 22 settembre 1870.

R. Cadorna.

Achille Mazzoleni; Felice Ferri; Augusto Castellani; Fillippo Costa; Allessandro del Grande.

Rome, September 22, 1870.

R. Cadorna.

## *Dispatches of Mr. Jervoise to Earl Granville, British Foreign Minister, September 27 and* 28, 1870 [1]

*Rome, September* 28, 1870.

My Lord,

. . . . . . . . . . .

A monster meeting was held at the Coliseum on Thursday afternoon, called by Signor Mattia Montecchi, a member of the Republican Government of 1849, at which a Giunta was proposed of forty-two persons, whose names are given in the accompanying list.

The Republicans were becoming extremely dangerous, when General Cadorna, who does not appear to have been furnished with instructions before he entered Rome for the Civil administration, issued a Proclamation appointing another Giunta to act as a Provisional Government until the plebiscite to be taken next month shall have been declared. This second Giunta, composed of eighteen persons, includes the names of the most influential Roman citizens, whose acceptance of the position is a guarantee that the Republican element has for the present been suppressed. Its partisans, I am told, immediately that the Giunta was settled and before its official declaration was announced from the Capitol on the 24th, were informed that if they did not leave Rome quietly they would be put out at the point of the bayonet. The Giunta was finally composed of fourteen persons, . . .

*Rome, September* 27, 1870.

(*Extract*)

The King's letter to the Pope, and General Cadorna's Proclamation, had given it to be understood that the Public Administrations were for the present to continue to exercise their functions as before, and the Roman Giunta refused to accept the nominees from Florence; two members of the Provisional Government left Rome yesterday for Florence, in order to represent the case to the Cabinets.

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[1] *British Parliamentary Papers,* Affairs of Rome [c. 247], p. 52.

Another question which they were also to discuss there is the form of the plebiscite. One has been sent from Florence, expressing the will of the people of the Roman provinces to be incorporated with the Italian Kingdom, provided the independence of the Pope is secured.

This conditional form is objected to, as it would leave an opening at every turn for the Pope to say that he was not independent, and a perpetual wound would be kept open and excuse left for His Holiness to assert that the conditions of the plebiscite were not observed.

The 2nd of October had been named as the day for taking the plebiscite, but it seems impossible that the priests who have been applied to for the lists can accomplish their task by that time.

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## *Proclamation of the Roman Giunta Fixing the Date and Form of the Plebiscite. September* 29, 1870 [1]

ROMANI!

La Giunta ha fissato il Plebiscito del popolo romano e della provincia di Roma pel giorno 2 ottobre; e propone ai suffragi universali la seguente formula:

"Vogliamo la nostra unione al Regno d'Italia, sotto il Governo monarchico costituzionale del Re Vittorio Emanuele II e suoi successori."

Romani! Gli sforzi e i sacrifici dei cittadini liberali, la magnanimità d'un Re, il valore dell'esercito italiano, e la maturità dei tempi, ci restituiscono il diritto di disporre liberamente dei nostri destini.

Sotto l'egida di libere istituzioni, lasciamo al senno del Governo italiano la cura di assicuare l'indipendenza dell'autorità spirituale del Pontefice.

Il giorno e solenne. La storia re-

ROMANS!

The Giunta has fixed the 2nd of October for the plebiscite in Rome and in the provinces. The following formula is proposed:—

"We desire our union with the Kingdom of Italy under the Constitutional Monarchy of King Victor Emanuel II and his successors."

Romans! The efforts and sacrifices of the citizens of Italy, the magnanimity of a King, the bravery of the Italian Army, and the ripeness of time, restore to us the right of disposing freely of our destinies.

Under the aegis of liberty we leave to the good sense of the Italian Government the task of insuring the independence and spiritual authority of the Pontiff.

The moment is a solemn one; His-

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[1] *Le Assemblee,* vol. 9, p. 1093. Translation from *British Parliamentary Papers,* Affairs of Rome [c. 247], p. 59.

gistrerà a carratteri indelibili il grande avvenimento che consacra il fecondo principio: *libera Chiesa in libero Stato.*

Nell'approssimarci all'urna, richiamiamo alla mente che, deponendo il Sì, noi compiremo i voti d'Italia e del Parlamento, e rimetteremo al suo posto Roma nostra, la grande Madre dell'antica civiltà.

*Campidoglio, 29 settembre* 1870.
*Il Presidente,*
Duca Caetani.
(*Seguono le altre firme*)

tory will register in indelible characters the great event which will consecrate the noble principle of a free Church in a free State.

Before voting let us call to mind that by an " aye " we meet the wishes of Italy and of the Parliament, and we replace our Rome, the mother of ancient civilization, in her proper position.

*Campidoglio, September* 29, 1870.
*The President,*
Duke Caetani.
(*The other signatures follow*)

## *Rules of Procedure for the Plebiscite, September* 29, 1870 [1]

### LA GIUNTA PROVVISORIA DI GOVERNO DI ROMA E SUA PROVINCIA

Pel regolare andamento dell'imminente Plebiscito si dispone:

1. Il voto pel Plebiscito sarà dato per *Sì* o per *No* a mezzo d'un bollettino stampato e a scrutinio segreto.
2. Tutti i cittadini d'età maggiore nati o domiciliati nel comune, che si trovano in possesso dei diritti civili, hanno facoltà di dare il loro voto.
3. Sono esclusi dal voto tutti coloro che furono colpiti da sentenze infamanti.
4. È istituito in Roma, sotto la dipendenza della Giunta, un Comitato del Plebiscito composto di dodici cittadini.

### THE PROVISIONAL GIUNTA OF THE GOVERNMENT OF ROME AND HER PROVINCES

In order to have a regular procedure for the approaching plebiscite; it is ordered that:

1. The vote of the plebiscite shall be given by " yes " or " no," by means of a printed vote and secret ballot.
2. All citizens who are of age, born or domiciled in the commune and in possession of their civil rights, have the right to vote.
3. All those who have been sentenced as criminals are excluded from voting.
4. There is instituted in Rome, under the Giunta, a committee for the plebiscite, composed of 12 citizens.

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[1] *Le Assemblee,* vol. 9, p. 1091.

5. Questo Comitato sceglierà un numero sufficiente di Sottocomitati di tre persone, le quali saranno preposte agli Uffici d'iscrizione, cha a sua cura dovranno aprirsi nelle diverse parti della città di Roma.

6. I Sottocomitati dietro le opportune verifiche dei requisiti che si domandano per aver diritto al voto, servendosi dei libri parrocchiali, che sono messi a loro disposizione e delle note statistiche delle presidenze di Roma, iscriveranno il nome e cognome di ciascuna in una matricola o lista da formarsi nei singoli Uffici, e lo muniranno del bollettino d'ammissione per la votazione.

7. Queste liste dei cittadini aventi diritto alla votazione e il rilascio dei bollettini d'ammissione, saranno fatte in simil guisa in tutti i comuni della provincia di Roma dalle Giunte rispettive, e dai Comitati che da esse saranno deputati, istituendo, dove occorra, uno o più uffici d'iscrizione per comodo della popolazione.

8. I bollettini d'ammissione porteranno l'indicazione a stampa del numero dell'ufficio da cui vengono rilasciati; e sotto questa indicazione sarà notato per iscritto di tutto pugno d'uno dei membri del Sottocomitato il nome e cognome della persona, in cui fu riconosciuto il diritto del voto.

9. Nel giorno della votazione lo scrutinio sarà aperto in Roma in dodici appositi locali, che saranno all' uopo destinati, sotto la presidenza d'uno dei membri della Giunta con

5. This committee shall choose a suitable number of sub-committees, each composed of three people, who shall be stationed at the registration offices which shall be opened under their charge in the several sections of the City of Rome.

6. The sub-committees, having made the necessary verification of the qualifications which are required for the vote by making use of the parish registers, which shall be put at their disposal, and of the statistics of the presidencies of Rome, shall inscribe the name and surname of each voter in a register or list to be drawn up in each office, and shall furnish them with voting certificates.

7. These lists of citizens who have the right to vote, and the giving out of voting certificates, shall be made alike in each of the communes of the Province of Rome by the respective Giuntas and by the committees which shall be appointed by them, and, wherever necessary, one or more registration offices shall be opened to accommodate the people.

8. The voting certificates shall have on them a stamped number indicating the office which has issued them, and under this mark there shall be written in the handwriting of a member of the sub-committee, the name and surname of the person who has the right to vote.

9. On the day of the voting the polls shall be opened in Rome in twelve suitable localities, which shall be prepared for the purpose under the presidency of one of the members of

l'assistenza d'uno dei membri del Comitato e di tre cittadini a ciò deputati.

10. In provincia lo scrutinio sarà aperto nel capoluogo del comune sotto la presidenza della Giunta municipale.

11. A cura del Comitato in Roma e della Giunta e Comitati della provincia saranno distribuite prima della votazione le schede a stampa esprimenti un *Sì* od un *No* di cui i cittadini potranno liberamente valersi per deporre il loro voto nell'urna, che verrà per questo effetto disposta nel luogo dell'adunanza.

12. Tre membri almeno degli uffici di presidenze dovranno esser sempre presenti durante la votazione che sarà aperta alle ore 8 antimeridiane e durerà per tutta la giornata.

13. Il presidente di ciascun ufficio è incaricato della polizia dell'adunanza. Esso prenderà tutte le precauzioni necessarie ad assicurare l'ordine e la tranquillità; e per tale effetto tutte le autorità civili e militari dovranno prestarsi ad ogni sua richiesta.

14. Il votante prima di essere ammesso a deporre la sua scheda nell'urna, dovra dichiarare il suo nome ed esibire il suo bollettino d'ammissione all'ufficio della presidenza.

15. Chiuso lo scrutinio in Roma, tutte le urne dal presidente e dagli altri membri assistenti saranno portate nella gran sala del Campidoglio, dove alla pressenza del pubblico si procederà allo spoglio dei voti, fa-

the Giunta with the assistance of one of the members of the committee, and of three citizens who shall be delegated for the purpose.

10. In the provinces the counting of the votes shall take place in the chief place of the commune under the presidency of the municipal Giunta.

11. The committee in Rome and the Giunta and committees of the provinces shall distribute before the voting, the ballots printed with a "No" or a "Yes" which the citizens shall be able to use freely in order to deposit their votes in the urn, which they will find placed for this purpose in the place of meeting.

12. At least three members of the committee in charge of the vote must be always present during the balloting, which shall begin at the hour of 8 A. M. and which shall last throughout the day.

13. The president of each office is charged with the discipline of the assembly. He shall take all precautions necessary to secure order and tranquility; and for this purpose the civil and military authorities must accede to any demand made by him.

14. Each voter, before being allowed to deposit his ballot in the urn, must give his name and show his voting certificate to the committee in charge.

15. At the close of the balloting in Rome, all the urns shall be carried by the presidents and the other members present to the Great Hall of the Campidoglio, where in the presence of the public they shall proceed to the

cendo risultare il successo della votazione da apposito verbale, che sarà sottoscritto dai membri presenti della Giunta e del Comitato.

16. Nella provincia in ogni capoluogo si farà egualmente dalle rispettive Giunte lo spoglio dei voti, si firmerà il verbale e se ne proclamerà il risultato. I verbali poi saranno prontamente rimessi alla Giunta di Governo in Roma, perchè unitamente al risultato della votazione di Roma possa proclamare il risultamento definitivo del Plebiscito di tutta la provincia.

17. Con apposito avviso sarà promulgata la formula del Plebiscito e destinato il giorno alla votazione.

18. Il Comitato del Plebiscito è composte dei signori: Principe di Teano, conte Carlo Lovatelli, Alessandro Piacentini, Camillo Piccioni, Augusto Silvestrelli, Cesare Brenda, Rodolfo Volpicelli, Augusto avv. Rossi, Pietro Poggioli, Giovanni Angelini architetto, Giulio Costa, Eugenio Cave.

*Roma, 28 settembre* 1870.

Michelangelo Caetani, *presidente.*

counting of the votes, making known the result of the balloting by a proper formal minute which shall be signed by the members of the Giunta and of the committee who shall be there.

16. In the provinces, in the chief place of each commune, the Giunta shall proceed to the count in like manner, shall draw up a minute and shall proclaim the result. The report shall be at once sent to the Governmental Giunta at Rome, in order that in this way the result of the vote in Rome and the final results of the plebiscite in all the Provinces may be proclaimed at the same time.

17. The formula for the plebiscite shall be promulgated with the appropriate notification and the day designated for the vote.

18. The Committee on the plebiscite is composed of the following gentlemen; Prince Teano, Count Carlo Lovatelli, Allessandro Piacentini, Camillo Piccinni, Augusto Silvestrelli, Cesare Brenda, Rodolfo Volpicelli, Adv., Augusto Rossi, Pietro Pogglioli, Giovanni Angelini, architect, Giulio Costa, Eugenio Cave.

*Rome, 28 September,* 1870.

Michelangelo Caetani, *President.*

. . . . . . . . . . . .

## *Authentic Copy of the Statement of the Votes Cast in the Leonine City. October* 2, 1870 [1]

IN NOME DI DIO
REGNANDO
S. M. VITTORIO EMANUELE II
RE D'ITALIA

*Del pontificato di S. S. Papa* Pio IX *anno XXV;*

*Romana Indizione XIII. A dì due ottobre MDCCCLXX*

A richiesta dell'Ecc. ma Giunta Provvisoria di Roma e Provincia, io Acindino Buratti, Notaro pubblico, avente Studio in Roma, via Borgo Nuovo, N. 171, assistito dall'infrascritto Connotaro in luogo di Testimoni, mi sono recato nella Sala Maggiore di Campidoglio, all'oggetto di riconoscere la integrità della biffa e dei suggelli apposti da me questa mane, ad istanza dei Signori Augusto Sbriscia, Eugenio Prof. Agneni e Francesco Vizzica, ad un'urna di cristallo contenente una quantità di schede.

Alla presenza quindi di tutti i componenti la lodata Ecc. ma Giunta dei Deputati e Sotto-Deputati e della parte del Popolo liberamente intervenuta, ho verificata la biffa e suggelli dell' urna suddetta che ho rinvenuta depositata nella Sala Maggiore sunnominata, rinvenuta in tutto integra e non viziata, ho proceduto alla remozione della biffa medesima e quindi alla verifica

IN THE NAME OF GOD
IN THE REIGN OF
H. M. VICTOR EMANUEL II
KING OF ITALY

*Of the Pontificate of H. H. Pope* Pius IX *the XXV year;*

*Roman indiction XIII, the second day of October, MDCCCLXX*

At the request of the Most Exc. Provisional Committee of Rome and its Province, I, Acindino Buratti, Notary Public, having an office in Rome, via Borgo Nuovo 171, accompanied by the undersigned Fellow Notary instead of witnesses, went to the Great Hall of the Capitol with the purpose of examining the genuineness of the mark and of the seals placed by me this morning, at the request of Messrs. Augusto Sbriscia, Professor Eugenio Agneni and Francisco Vizzica, on a glass urn containing a number of papers.

In the presence of those composing the distinguished most Exc. Giunta of deputies and assistant deputies, and of that part of the people which was freely present, I verified the mark and seals on the aforesaid urn, which I found deposited in the Great Hall above-mentioned, finding it wholly untouched and uninjured; I proceeded to remove this same mark and then to

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[1] *Le Assemblee,* vol. 9, p. 1094.

delle schede in essa esistenti, che si sono rinvenute in numero di 1546 portanti tutte il *sì*, in adesione al Governo Costituzionale di Vittorio Emanuele II. Durante la compilazione dell'atto suddetto, si sono presentati gli stessi Signori Sbriscia, Agneni, Vizzica ed altri abitanti della Città Leonina, ed hanno consegnato alla lodata Giunta Municipale una Bandiera con la iscrizione: *Città Leonina, sì;* che è stata ricevuta dalla lodata Giunta.

Su di che, ecc.

Atto fatto ove sopra presente il Signor Giovanni Battista Bornia Connotaro, che si firma come si disse in luogo di Testimoni, unitamente ai Membri della Giunta suddetta e me Notaro stipolante.

M. Caetani — V. Tancredi — F. Pallavicini — A. Castellani — R. Marchetti — P. De Angelis — C. Maggiorani — V. Tittoni — I. Boncompagni dei Principi di Piombino — A. Del Grande — F. Ferri — B. Odescalchi — A. Mazzoleni — B. Placidi — E. Ruspoli — F. Sforza Cesarini — A. Sbriscia — E. Agneni — F. Vizzica — L. Mascetti.

Giov. Battista Bornia, *Notaro in luogo dei Testimoni.*

Cosi e, Acindino Buratti, Notaro pubblico rogato, Registrato a Roma, li 7 ottobre 1870, in tre pagine, una postilla, Vol. 42, Atti pubblici, foglio

verify the votes which were in it, which were found to be 1546 in number, all marked with *Yes,* in adhesion to the Constitutional Government of Victor Emanuel II. While the abovementioned act was being performed, the same Messrs. Sbriscia, Agneni Vizzica and other residents of the Leonine City, presented themselves and handed over to the honorable municipal Giunta a banner with the inscription: *"Leonine City, Yes";* which was received by the approved Committee.

Whereupon, etc.

Report made as above in the presence of Mr. Giovanni Battista Bornia, Fellow Notary, who signs as aforesaid instead of witnesses, together with the members of the Giunta aforesaid and of me, the testifying notary.

M. Caetani, V. Tancredi, F. Pallavicini, A. Castellani, R. Marchetti, P. De Angelis, C. Maggiorani, V. Tittoni, I. Boncompagni of the Princes of Piombino, A. Del Grande, F. Ferri, B. Odescalchi, A. Mazzoleni, B. Placidi, E. Ruspoli, F. Sforza Cesarini, A. Sbriscia, E. Agneni, F. Vizzica, L. Mascetti.

Giov. Battista Bornia, *notary instead of witnesses.*

Thus it is, Acindino Buratti, Notary Public signing, Registered at Rome, October 7, 1870, in three pages, one annotation, Volume 42, *27*, R. Cas, 5ª Ricevute lire tre e trenta centesimi.

Q. Pierotti.

Per copia autentica da ma infrascritto collezionata e rinvenuta conforme al suo originale S. E.— Data dal mio Officio, in tre pagine senza postille, li 7 ottobre 1870.

Acindino Buratti, *Notaro pubblico in Roma.*

P. A., page *27* R. Cas. 5. Received three lire and thirty centesimi.

Q. Pierotti.

An authentic copy collated by me, the undersigned, and found to agree with the original S. E. (without exception). Given in my office in three pages without annotation October 7, 1870.

Acindino Buratti, *Notary Public in Rome.*

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## *Formal Minute of the Result of the Plebiscite, October* 6, 1870[1]

S. P. Q. R.

*Esibita di documenti fatta dall'Eccellentissima Giunta Provvisoria di Roma e Provincia e dagli onorevoli signori Deputati delle Giunte Provvisorie di Governo di Civitavecchia, Frosinone, Velletri e Viterbo.*

IN NOME DI DIO
REGNANDO
S. M. VITTORIO EMANUELE II
RE D'ITALIA

L'anno 1870, il giorno di Giovedì 6 Ottobre;

Innanzi di me Camillo Vitti, Notaio Maggiore presso il Senato Romano, di Studio via Aracoeli, N. 60, assistito dall'infrascritto mio Collega personalmente costituito.

L'Ecc. ma Giunta Provvisoria di Governo di Roma e Provincia, composta degli Onorevoli Signori:

S. P. Q. R.

*Presentation of documents made by the most Excellent the Provisional Giunta of Rome and its Province and by the honorable Deputies of the Provisional Giuntas of Civitavecchia, Frosinone, Velletri, and Viterbo.*

IN THE NAME OF GOD
IN THE REIGN OF
H. M. VICTOR EMANUEL II
KING OF ITALY

In the year 1870, Thursday the sixth of October;

Before me Camillo Vitti, Chief Notary of the Roman Senate in my office, number 60 via Aracoeli, assisted by my undersigned colleagues, personally appointed by me.

The Most Excellent Provisional Giunta of the Government of Rome and its Province, composed of the Honorable:

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[1] *Le Assemblee,* vol. 9, p. 1095.

Duca Michelangelo Caetani, *Presidente*
Vincenzo Avv. Tancredi, *Vicepresidente*
Principe Francesco Pallavicini
Emanuele dei Principi Ruspoli

Duca Francesco Sforza, Cesarini
Ignazio Boncompagni dei Principi di Piombino
Avv. Biagio Placidi
Avv. Raffaele Marchetti
Vincenzo Tittoni
Pietro De Angelis
Achille Gori Mazzoleni
Felice Ferri
Augusto Castellani
Alessandro Del Grande
Professore Carlo Maggiorani

Come pure personalmente esistenti gli onorevoli signori:

Marchese Giulio Guglielmi e Annibale Lesen, *Deputati della Giunta di Governo di Civitavecchia;*

Gli onorevoli signori:

Girolamo Moscardini, *Presidente della Giunta provvisoria di Governo di Frosinone;*

Luigi Marcocci, *uno dei membri della detta Giunta;*

Andrea Conti, *Deputato della Giunta medesima;*

Gli onorevoli signori:

Conte Ettore Borgia, *Presidente;*

Avv. Luigi Novelli, *Deputato della Giunta provvisoria di Governo di Velletri;*

Gli onorevoli signori:

Conte Giuseppe Angelo Manni

Duke Michelangelo Caetani, *President*
Advocate Vincenzo Tancredi, *Vice-President*
Prince Francesco Pallavicini
Emanuel of the Princes of Ruspoli
Duke Francesco Sforza Cesarini
Ignazio Boncompagni of the Princes of Piombino
Adv. Biagio Placidi
Adv. Raffaele Marchetti
Vincenzo Tittoni
Pietro De Angelis
Achille Gori Mazzoleni
Felice Ferri
Augusto Castellani
Alessandro Del Grande
Prof. Carlo Maggiorani

As also present in person the honorable

Marquis Giulio Guglielmi and Annibale Leson, *Deputy of the Governing Giunta of Civitavecchia;*

The honorable:

Girolamo Moscardini, *President of the provisional Governing Giunta of Frosinone;*

Luigi Marcocci, *one of the members of the said Giunta;*

Andrea Conti, *Deputy of the same Giunta;*

The honorable:

Count Ettore Borgia, *President;*

Adv. Luigi Novelli, *Deputy of the Provisional Governing Giunta of Velletri;*

The honorable:

Count Giuseppe Angelo Manni

E AVV. FRANCESCO VALERANI, *Deputati della Giunta provvisoria di Governo di Viterbo;*
i quali di piena e deliberata loro volontà hanno esibito ed esibiscono a me Notaro il riassunto generale della votazione del Plebiscito avvenuta in Roma e sua Provincia, non che nelle altre suddette quattro Provincie, il giorno 2 del corrente mese, per decretare la unione di Roma e delle predette Provincie al Regno d'Italia sotto il Governo Monarchico Costituzionale del Re Vittorio Emanuele II e suoi Successori, il quale riassunto, che qui si alliga sotto la lettera A, è del tenore seguente:

AND ADV. FRANCESCO VALERANI, *Deputies of the Provisional Governing Giunta of Viterbo;*
who of their free and deliberate will have shown and do show to me, as notary, the general result of the voting on the plebiscite held in Rome and its Province, as well as in the other four Provinces aforesaid, on the 2nd day of the current month, to decree the union of Rome and the aforesaid Provinces to the Kingdom of Italy under the Government of the Constitutional Monarchy of the Kingdom of Victor Emanuel II and his successors, which result, here placed under the letter A, is as follows:

S. P. Q. R.

Riassunto Generale della votazione avvenuta in Roma e sua Provincia, non che nelle Provincie di Civitavecchia, Frosinone, Velletri e Viterbo, li 2 ottobre 1870, per l'unione delle medesime al Regno d'Italia sotto il Governo Monarchico Costituzionale del Re VITTORIO EMANUELE II e suoi Successori.

S. P. Q. R.

General Summary of the vote held in Rome and its Province as well as in the Provinces of Civitavecchia, Frosinone, Velletri, and Viterbo, on the 2nd day of October, 1870, for the union of the same to the Kingdom of Italy under the Government of the Constitutional Monarchy of the King VICTOR EMANUEL II and his Successors:

| | Inscritti (*Registered*) | Votanti (*Voting*) | Pel Si (*Yes*) | Pel No (*No*) | Nulli (*Void*) |
|---|---|---|---|---|---|
| Roma e Provincie (*Rome and its Province*) | 80,620 | 68,466 | 67,518 | 858 | 90 |
| Civitavecchia | 5,488 | 4,243 | 4,220 | 13 | 10 |
| Frosinone | 32,288 | 25,964 | 25,645 | 319 | .. |
| Velletri | 14,719 | 10,968 | 10,912 | 56 | .. |
| Viterbo | 34,433 | 25,650 | 25,386 | 261 | 3 |
| Total complessivo (*Total*) | 167,548 | 135,291 | 133,681 | 1,507 | 103 |

(L. S.) Roma li sei ottobre 1870.
(*Rome, October 6, 1870.*)

Hanno esibito ed esibiscono ancora i detti Signori Comparenti nelle loro

The said gentlemen in their statement as above, have exhibited and ex-rappresentanze come sopra, altri numero cinque documenti, che qui si uniscono sotto le lettere B, C, D, E, F [1] ciascuno dei quli contiene le risultanze parziali delle votazioni del suddetto giorno 2 corrente Ottobre avvenute nella Città di Roma e sua Provincia, cioè: Inscritti N. 80,620, dei quali N. 67,518 votanti per il *sì*, e N. 858 per il *no*, N. 90 voti nulli.

Nella Provincia di Civitavecchia: Inscritti N. 5,488, dei quali N. 4,220 votanti pel *sì*, N. 13 votanti per il *no*, oltre il nulli N. 10.

Nella Provincia di Frosinone: N. 32,288 inscritti, dei quali N. 25,645 votanti per il *sì*, e N. 319 per il *no*.

Nella Provincia di Velletri: Inscritti N. 14,719, dei quali N. 10,912 votanti per il *sì*, e N. 56 per il *no*.

Finalmente nella Provincia di Viterbo: Inscritti N. 34,433, dei quali N. 25,386 votanti per il *sì*, e N. 261 per il *no*.

E come il tutto apparisce dai relativi Processi Verbali in detto giorno 2 corrente mese, redatti presso le singole Comunità e Provincie suddette, ed asistenti nei rispettive capoluoghi, cioè: in Roma per la Città e sua Provincia, in Civitavecchia, Frosinone, Velletri e Viterbo per le medesime Città e rispettive Provincie.

Sopra le quali cose, ecc.

Atto fatto in Roma, nella Sala delle

hibit five other documents which are here collected under the letters B, C, D, E, F, each of which contains the partial results of the vote of the said 2nd day of October, taken in the City of Rome and its Province, as follows: registered 80,620, of which number 67,518 voted *Yes* and 858 *No*, and 90 votes were void.

In the Province of Civitavecchia: Registered 5,488, of which number 4,220 voted *Yes*, 13 voted *No*, and 10 votes were void.

In the Province of Frosinone: 32,288 were registered, 25,645 voted *Yes* and 319 *No*.

In the Province of Velletri: registered 14,719, of whom 10,912 voted *Yes* and 56 voted *No*.

Finally, in the Province of Viterbo: registered 34,433, of whom 25,386 voted *Yes*, and 261 *No*.

As appears from the several formal minutes of the said second day of the current month, drawn up in each commune and province above mentioned and kept in the respective chief places, that is, in Rome, for the City and its Province, in Civitavecchia, Frosinone, Velletri and Viterbo for the same city and respective provinces.

As to which, et cetera.

Act drawn up in Rome, in the ac-

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[1] Gli allegati B, C, D, E, F, menzionati in questo Resoconto generale, sono depositati nell' Archivio del Municipio di Roma, e gli altri documenti riportati, relativi al medesimo Plebiscito, sono custoditi nell' Archivio di Stato della stessa Città.

(Translation):

The exhibits B, C, D, E, and F mentioned in this General Report are deposited in the archives of the Municipality of Rome, and the other documents mentioned, relating to the same plebiscite are preserved in the State Archives of the same City.

solite Adunanze, in Campidoglio, essendosi gli Onorevoli Comparenti firmati col mio Collega, e me Notaro previa lettura.

Michelangelo Duca Caetani, *Presidente* — Vinc. Avv. Tancredi, *Vice-pres.* — Francesco Pallavicini — Emanuele dei Principi Ruspoli — Duca Franc. Sforza Cesarini — Princ. Baldassare Odescalchi — Ignazio Boncompagni dei Principi di Piombino — Avv. Biagio Placidi — Avv. Raffaele Marchetti — Vincenzo Tittoni — Pietro De Angelis — Achille G. Mazzoleni — Felice Ferri — Augusto Castellani — Alessandro Del Grande — Carlo Maggiorani — Giulio Guglielmi — Annibale Lesen — Girolamo Moscardini, *Presidente* — Luigi Marcocci — Andrea Conti — C. Ettore Borgia, *Presidente* — Luigi Avv. Novelli — Giuseppe Angelo Manni — Francesco Valerani.

Francesco Guidi, *Notaio Collega.*

Camilla Vitti, *Notaio Maggiore presso il Senato Romano rogato.*

Registrato a Roma, il 6 ottobre 1870, Vol. 421, Atti pubblici, foglio 25, V, Cas. 3ª. . . .

Q. Pierotti, *Preposto.*

Per copia conforme all'originale da me infrascritto collazionata. In fede, ecc.

Roma dal mio Studio Notarile, questo dì 6 ottobre 1870.

Camillo Vitti, *Notaio Maggiore presso il Sen. Rom. in fede.*

(L. S.)

customed meeting-hall in the Campidoglio, the Honorable Representatives having signed, together with my colleague, and I, as notary, having read it previously.

Michelangelo, Duke Gaetani, *President;* Vinc. Adv. Tancredi, *Vice-Pres.;* Francesco Pallavicini; Emanuele, of the Princes Ruspoli; Duke Franc. Sforza Cesarini; Prince Baldassare Odescalchi; Ignazio Boncompagni, of the Princes of Piombino; Adv. Biagio Placidi; Adv. Raffaele Marchetti; Vincenzo Tittoni; Pietro De Angelis; Achille G. Mazzoleni; Felice Ferri; Agosto Castellani; Alessandro Del Grande; Carlo Maggiorani; Giulio Guglielmi; Annibale Lesen; Girolamo Moscardini, *President;* Luigi Marcocci; Andrea Conti; C. Ettore Borgia, *President;* Adv. Luigi Novello; Giuseppe Angelo Manni; Francesco Valerani.

Francesco Guidi, *Associate Notary.*

Camillo Vitti, *Chief Notary of the Roman Senate.*

Registered in Rome, the 6th day of October, 1870, Vol. 421, Public Acts, Folio 25, V, Cas. 3rd. . . .

Q. Pierotti, *Clerk-in-Charge.*

This copy conforms to the original as collated by me the undersigned. In testimony, et cetera,

Rome, at my Notary's office, this 6th of October, 1870.

Camillo Vitti, *Chief Notary of the Roman Senate; attesting.*

(L. S.)

## *Formal Minute of the Presentation of the Plebiscite to King Victor Emanuel II. October* 9, 1870[1]

L'anno 1870, il di 9 ottobre, alle 10½ antim. in Firenze, nel Palazzo Reale, alla presenza di Sua Maestà il Re Vittorio Emanuele II, assistendo al presente Atto le LL. AA. RR. il Principe di Piemonte, la Principessa di Piemonte, il Duca d'Aosta, il Principe di Carignano;

Le LL. EE. i Cavalieri dell'Ordine Supremo della SS. Annunziata;

Il Presidente del Senato del Regno e della Camera dei Deputati;

I Ministri Segretari di Stato;

I Ministri di Stato;

Generali d'Armata;

Il Presidente del Consiglio di Stato;

Il Primo Presidente ed il Procuratore Generale della Corte di Cassazione di Firenze;

Il Presidente della Corte dei Conti;

Il Prefetto del Palazzo e Primo Aiutante di Campo di S. M.;

Il Presidente del Tribunale Supremo di Guerra;

Gli Aiutanti di Campo ed Ufficiali d'ordinanza;

Altre persone della Casa e del seguito di S. M. ed altri Funzionari Civili e Militari.

Sono stati introdotti i Signori:

The year 1870, the 9th of October, at 10:30 A. M., in Florence, in the Royal Palace, in the presence of HIS MAJESTY THE KING, VICTOR EMANUEL II, there being present at the presentation of the Act their ROYAL HIGHNESSES, the Prince of Piedmont, the Princess of Piedmont, the Duke of Aosta, the Prince of Carignano;

Their Royal Highnesses, the Chevaliers of the Supreme Order of the Holy Annunciata;

The President of the Senate of the Kingdom, and of the Chamber of Deputies;

The Ministers, Secretaries of State;

The Ministers of State;

Generals of the Army;

The President of the Council of State;

The First President and the Procurator General of the Court of Cassation of Florence;

The President of the Court of Accounts;

The Prefect of the Palace and First Aide-de-Camp of His Majesty;

The President of the Supreme Tribunal of War;

The Aides-de-Camp and officers in attendance;

Other persons of the Household and of the Suite of His Majesty, and other Functionaries, Civil and Military;

There were introduced the following gentlemen:

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[1] *Le Assemblee*, vol. 9, p. 1098.

Duca CAETANI D. MICHELANGELO DI SERMONETA, *Presidente* — AVV. RAFFAELE MARCHETTI — Principe BALDASSARRE ODESCALCHI — Principe EMANUELE RUSPOLI — VINCENZO TITTONI — PIETRO DE ANGELIS — AUGUSTO CASTELLANI — Prof. CARLO MAGGIORANI — Duca SFORZA CESARINI D. FRANCESCO — MOSCARDINI GIROLAMO — ANDREA CONTI — Conte ETTORE CUMBO BORGIA — AVV. LUIGI NOVELLI — Marchese GIULIO GUGLIELMI — ANNIBALE LESEN — Conte GIUSEPPE MANNI — AVV. FRANCESCO VALERANI, componenti la Deputazione di Roma e delle Provincie Romane, nonchè il Principe DI TEANO — Cav. AUGUSTO SILVESTRELLI — AVV. AUGUSTO ROSSI.

Membri del Consiglio pel Plebiscito con cui i Popoli di quelle Provincie, convocati in Comizio il 2 corrente ottobre, per suffragio universale, hanno dichiarato con 133,681 voti affermativi, contro voti negativi 1,507, di *volere la loro unione al Regno d'Italia sotto il Governo Monarchico Costituzionale del Re* VITTORIO EMANUELE II *e suoi Successori.* S. M. nell'accettare per sè e per i suoi Successori il risultamento del Plebiscito, espone quanto Le torni gradito che, col voto di Roma e delle Provincie Romane, venga compiuta l'Unità Nazionale: ricorda come questo felice avvenimento, meglio che alla forza, fosse dovuto alla evidente giustizia delle cagioni onde mosse si grande rivolgimento di cose.

Duke MICHELANGELO di CAETANI of SERMONETA, *President,* Adv. RAFFAELE MARCHETTI, Prince BALDISARRE ODESCALCHI, Prince EMANUEL RUSPOLI, VINCENZO TITTONI, PIETRO DE ANGELIS, AUGUSTO CASTELLANI, Prof. CARLO MAGGIORANI, FRANCESCO SFORZA CESARINI, GIROLAMO MOSCARDINI, ANDREA CONTI, Conte ETTORE CUMBO BORGIA, AVV. LUIGI NOVELLI, MARQUIS GIULIO GUGLIELMI, ANNIBALE LESEN, Count GIUSEPPE MANNI, Adv. FRANCESCO VALERANI, forming the Deputation from Rome and the Provinces of Rome, as well as the Prince of TEANO, Chevalier AUGUSTO SILVESTRELLI, Adv. AUGUSTO ROSSI;

Members of the Council for the Plebiscite, with which the people of that Province, convoked in popular assemblies on the 2nd of October, have declared by universal suffrage with 133,681 affirmative votes, against 1507 negative votes that *they wish to become united with the Kingdom of Italy, under the Constitutional Monarchical Government of King* VICTOR EMANUEL II *and his Successors.* His Majesty in accepting for himself and for his successors the result of the vote, explains how pleasing it is to him that, by the vote of Rome and of the Roman Provinces, national unity has been completed; he reminds us that this fortunate event is due, rather than to force, to the evident justice of the causes through which so great a change in events was brought about.

Aggiunge che l'Italia libera e padrona ormai de'suoi destini, raccogliendosi nella famosa Città la quale fu due volte Capitale del Mondo, troverà nelle ispirazioni della propria civilità il modo d'assicurare la libertà della Chiesa e la indipendenza del Sommo Pontefice, e di ciò essergli arra il senno e la temperanza dei Romani.[1]

Di tutto ciò il Guardasigilli, ministro di Grazia e Giustizia, ha, d'ordine del Re, rogato il presente Processo Verbale sottoscritto da S. M., dai Membri della Deputazione della Città di Roma e delle Provincie Romane e dai Grandi Ufficiali dello Stato che hanno assistito all'Atto controsegnato dai Ministri Segretari di Stato e munito dal Ministro di Grazia e Giustizia del Sigillo di Stato.

L'originale del presente Atto verrà depositato e conservato negli Archivi generali del Regno.

He adds that Italy, free and mistress henceforth of her destinies, gathering in the famous city which was twice the capital of the world, will find in the inspirations of her own civilization the means of assuring the liberty of the Church and the independence of the High Pontiff, and of this the good sense and the temperateness of the Romans will be a warrant.

Of all this the Keeper of the Seals, Minister of Grace and Justice, has by order of the King, drawn up the present formal minute, subscribed by His Majesty, by the Members of the Deputation for the City of Rome and the Roman Provinces, and by the High Officers of State who have participated in the Act, countersigned by the Ministers Secretaries of State, and provided with the Seal of State by the Minister of Grace and Justice.

The original of the present Act will be deposited and preserved in the general Archives of the Kingdom.

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[1] Sua Maestà rispondeva:

"Infine l'ardua impresa è compiuta e la patria ricostituita. Il nome di Roma, il più grande che suoni sulle bocche degli uomini, si ricongiunge oggi a quello d'Italia, il nome più caro al mio cuore. Il plebiscito pronunciato con si maravigliosa concordia dal popolo romano, e accolto con festosa unanimità in tutte le parti del Regno, riconsacra le basi del nostro patto nazionale, e mostra una volta di più che se noi dobbiamo non poco all fortuna, dobbiamo assai più all' evidente giustizia della nostra causa. . . .

"Io, come Re e come cattolico, nel proclamare l'unità d'Italia, rimango fermo nel proposito di assicurare la libertà della Chiesa e l'indipendenza del Sovrano Pontefice, e con questa dichiarazione solenne io accetto dalle vostre mani, egregi signori, il plebiscito di Roma e lo presento agli Italiani, augurando ch'essi sappiano mostrarsi pari alle glorie de' nostri antichi e degni delie presenti fortune." (From note by editor of *Le Assemblee.*)

(Translation):

His Majesty responded:

Finally, the arduous undertaking is complete, and the country reconstituted. The name of Rome, the greatest on the tongues of men, is joined today once more with that of Italy, the name dearest to my heart. The plebiscite, pronounced with such marvellous accord by the Roman people, is acclaimed with unanimous festivity in all the parts of the Kingdom, and reconsecrates the foundations of our national pact, and shows once more that if we owe

VITTORIO EMANUELE

Michelangelo Caetani

Umberto di Savoia — Amedeo di Savoia — Eugenio di Savoia.

Avv. R. Marchetti — Princ. B. Odescalchi — E. de Principi Ruspoli — V. Tittoni — P. De Angelis — A. Castellani — Prof. C. Maggiorani — F. Sforza Cesarini — G. Moscardini, *Presidente* — A. Conti — Gen. La Marmora — B. Ricasoli — U. Rattazzi — G. Casati, *Pres. del Senato* — Des Ambrois — F. Arese — G. Lanza — G. Biancheri — Visconti-Venosta — Q. Sella — C. Correnti — Castagnola — Gadda — Ricotti, *Ministro della Guerra* — Acton — Vigliani — A. Conforti — A. Duchoqué — M. de Sonnaz — C. Marzucchi, *Vicepresidente del Senato* — R. D'Afflitto Duca di Castropignano, *Vicepresidente del Senato* — Marchese G. Guglielmi — C. E. Borgia, *Presidente* — L. Avv. Novelli — A. Lesen — G. Angelo Manni — F. Valeriani — O. Caetani Principe di Teano — A. Silvestrelli — A. Rossi — A. Beretta, *Segretario del Senato* — L. Chiesi, *Segretario del Senato* — T. Manzoni, *Segretario del Senato* — V.

VICTOR EMANUEL

Michelangelo Caetani.

Umberto di Savoia, Amedeo di Savoia, Eugenio di Savoia.

Adv. R. Marchetti, Prince B. Odescalchi, Prince Ruspoli, V. Tittoni, P. de Angelis, A. Castellani, Prof. C. Maggiorani, F. Sforza Cesarini, G. Moscardini, *President,* A. Conti, Gen. La Marmora, B. Ricasoli, U. Rattazzi, G. Casati, *President of the Senate,* Des Ambrois, F. Arese, G. Lanza, G. Biancheri, Viscounti Venosta, Q. Sella, C. Correnti, Castagnola, Gadda Ricotti, *Minister of War,* Acton, Vigliani, A. Conforti, A. Duchoqué, M. de Sonnaz, C. Marzucchi, *Vice President of the Senate,* R. D'Afflitto, Duke of Castropignanco, *Vice President of the Senate,* Marquis G. Guglielmi, C. E. Borgia, *President,* Adv. L. Novelli, A. Lesen, G. Angelo Manni, F. Valeriani, O. Caetani, Prince of Teano, A. Silvestrelli, A. Rossi, A. Beretta, *Secretary of the Senate,* L. Chiesi, *Secretary of the Senate,* T. Manzoni, *Secretary of the Senate,* V. Capriolo, D. Berti, F. DeSanctis, B. Cairoli, C. Bartea, M. Macchi,

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not a little to fortune, we owe much more to the evident justice of our cause. Free agreement of wills, a sincere exchange of faithfully kept promises, these are the forces which have made Italy, and which according to my ideas have led her to her fulfillment. . . .

I, as King and as Catholic, in proclaiming the unity of Italy, remain firm in my determination to assure the liberty of the Church and the independence of the Sovereign Pontiff, and with this solemn declaration I accept from your hands, illustrious gentlemen, the plebiscite of Rome, and I present it to the Italians, hoping that they will show themselves equal to the glory of our forefathers and worthy of their present fortune.

Capriolo — D. Berti — F. DeSanctis — B. Cairoli — C. Bertea — M. Macchi — C. Corte — D. Farini — S. Calvino — F. Cucchi — V. Malenchini — U. Peruzzi, *ff. di Sindaco di Firenze* — F. Rignon, *ff. di Sindaco di Torino* — G. Bellinzaghi, *Sindaco di Milano* — D. Peranni, *Sindaco di Palermo.*

*Il Ministro di Grazia e Giustizia:*
Matteo Raeli.

C. Corte, D. Farini, S. Calvino, F. Cucchi, V. Malenchini, U. Peruzzi, *Acting Syndic of Florence,* F. Rignon, *Acting Syndic of Turin,* G. Bellinzaghi, *Syndic of Milan,* D. Peranni, *Syndic of Palermo.*

*The Minister of Grace and Justice:*
Matteo Raeli.

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## *Royal Decree Incorporating the Roman Provinces in the Kingdom of Italy, October* 9, 1870.

### VITTORIO EMANUELE II

PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE RE D'ITALIA

Vista la legge del 17 marzo 1861, n. 4671;

Visto il risultamento del plebiscito, col quale i cittadini delle provincie romane, convocati nei Comizi il giorno 2 del corriente mese di ottobre, hanno dichiarato l'unione al Regno d'Italia colla Monarchia Costituzionale di VITTORIO EMANUELE II et de' suoi successori;

Considerando che i voti espressi dal Parlamento per compiere l'unità nazionale, e le conformi dichiarazioni del Governo ricordate anche nei bandi, che invitarono le popolazioni romane a dare il loro suffragio per l'unione al Regno, mantennero costantemente il concetto, che, cessato il dominio

### VICTOR EMANUEL II

BY THE GRACE OF GOD AND THE WILL OF THE NATION KING OF ITALY

In view of the law of March 17th, 1861, No. 4761;

In view of the result of the plebiscite by which the citizens of the Roman Provinces, convened in popular assemblies on the 2nd of October of the current month, have declared the union to the Kingdom of Italy with the constitutional monarchy of VICTOR EMANUEL II and of his successors;

Considering that the votes given by the Parliament to carry out the national unity and the similar declarations of the Government, recorded also in the proclamations which invited the Roman populations to give their suffrages for the union of the kingdom, have constantly maintained

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[1] *Gazetta Ufficiale del Regno d'Italia,* Florence, October 9.

temporale della Chiesa, si avesse ad assicurare l'independenza dell'autorità spirituale del Sommo Pontifice;

Sulla proposta del Consiglio dei Ministri,

Abbiamo decretato e decretiamo:

Art. 1. Roma e le provincie romane fanno parte integrante del Regno d'Italia.

Art. 2. Il Sommo Pontefice conserva la dignità, la inviolabilità e tutte le prerogative personali di Sovrano.

Art. 3. Con apposita legge verranno sancite le condizioni atte a garantire, anche con franchigie territoriali, l'indipendenza del Sommo Pontefice e il libero esercizio dell'autorità spirituale della Santa Sede.

Art. 4. L'articolo 82 dello Statuto sarà applicabile alle provincie romane sino a che le provincie medesime non siano rappresentate nel Parlamento Nazionale.

Art. 5. Il presente decreto sarà presentato al Parlamento per essere convertito in legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Firenze addì 9 ottobre 1870.

the principle that, the temporal dominion of the Church having ceased, it was right to secure the independence of the spiritual authority of the Sovereign Pontiff;

On the proposal of the Council of the Ministers,

We have decreed and do decree:

Article 1. Rome and the Roman Provinces form an integral part of the Kingdom of Italy.

Art. 2. The Sovereign Pontiff preserves the dignity, inviolability, and all the personal prerogatives of a Sovereign.

Art. 3. A special law shall sanction the conditions for the guarantee, even by territorial immunities of the independence of the Sovereign Pontiff and the free exercise of the spiritual authority of the Holy See.

Art. 4. Article 82 of the Constitution shall be applied to the Roman Provinces until they are represented in the National Parliament.

Art. 5. The present decree shall be presented in Parliament to be made into law.

We order that the present decree, sealed with the seal of State, shall be inserted in the official collection of the laws and decrees of the Kingdom of Italy, commanding all whom it concerns to observe it and cause it to be observed.

Given at Florence this 9th day of October, 1870.

[Here follow signatures.]

## MOLDAVIA AND WALLACHIA, 1857

### *Conference of Vienna.— Extracts from Memorandum Communicated by the Plenipotentiaries of Austria, France, and Great Britain, to Prince Gortshakoff, December* 28, 1854[1]

Dans le but de préciser le sens que leurs Gouvernements attribuent à chacun des principes contenus dans les 4 Articles, et se réservant d'ailleurs comme ils ont toujours fait, la faculté de poser telles conditions particulières qui leur paraîtraient exigées en sus des 4 garanties par l'intérêt général de l'Europe pour prévenir le retour des dernières complications, les Représentants de l'Autriche, de la France, et de la Grande Bretagne déclarent:

1. Que leurs Gouvernements, en jugeant de commun accord qu'il était nécessaire d'abolir le Protectorat exclusif exercé par la Russie sur la Moldavie, la Valachie et la Serbie, et de placer dorénavant sous la garantie collective des 5 Puissances les privilèges reconnus par les Sultans à ces Principautés dépendantes de leur Empire, ont entendu et entendent qu'aucune des stipulations des anciens Traités de la Russie avec la Porte concernant les dites Provinces ne pourrait être remise en vigueur à la paix, et que les arrangements à conclure à leur sujet seraient ultérieurement combinés de

In order to define the meaning attributed by their Governments to each of the principles contained in the 4 Articles and, moreover, reserving as has always been the custom, the right to propose such special conditions as appear to them to be necessitated, in addition to the 4 guarantees, by the general interests of Europe, in order to prevent the return of the recent complications, the Representatives of Austria, France, and Great Britain declare:

1. That their Governments, judging by common accord that it was necessary to abolish the exclusive Protectorate exercised by Russia over Moldavia, Wallachia and Serbia, and to place, henceforth, under the collective guarantee of the 5 Powers the privileges recognized by the Sultans as possessed by these Principalities, dependent on their Empire, have determined and determine that none of the stipulations of the former Treaties of Russia with the Porte concerning the said provinces shall be again in force after peace is concluded, and that the measures to be concluded con-

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[1] *Brit. St. Pap.*, vol. 45, p. 53; Martens, *N. R. G.*, vol. 15, p. 632.

façon à donner une pleine et entière satisfaction aux droits de la Puissance Suzeraine, à ceux des 3 Principautés, et aux intérêts généraux de l'Europe.

. . . . .

cerning them shall be arranged later in such a manner as to give full and entire satisfaction to the rights of the Suzerain Power, to those of the 3 Principalities and to the general interests of Europe.

. . . . .

## *Development of the First Point of the Memorandum. March* 15, 1855 [1]

1. Les Principautés Danubiennes de Moldavie, Valachie, et Serbie continueront à relever de la Sublime Porte en vertu des anciennes capitulations et Hats Impériaux [2] en vigueur. Aucune protection exclusive ne sera exercée dorénavant sur ces Provinces.

2. La Sublime Porte, dans la plénitude de son pouvoir suzerain, conservera intacte aux dites Principautés leur administration indépendante et nationale, et par conséquent la pleine liberté de culte, de législation, de commerce, et de navigation. Toutes les clauses qui ont pour objet la prosperité du pays, contenues dans les Hats Impériaux, sont maintenues et seront, selon les circonstances, soigneusements developpées.

3. La Sublime Porte, considérant

1. The Danubian Principalities of Moldavia, Wallachia and Serbia shall continue to be held of the Sublime Porte by virtue of the ancient capitulations and Imperial Hats [2] in force. No exclusive protection shall henceforth be exercised over these Provinces.

2. The Sublime Porte, in the fullness of its Suzerain power, shall preserve intact to the said Principalities their independent and national administration, and, in consequence, full freedom of worship, of legislation, of commerce and of navigation. All the clauses contained in the Imperial Hats, which have as their object the prosperity of the country, are maintained, and shall be carefully developed according to circumstances.

3. The Sublime Porte, considering

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[1] Annex to Protocol No. 1, vol. 45, p. 59, *Brit. St. Pap.* The text was submitted by Baron Prokesch and slightly amended by the Conference.

The plenipotentiaries taking part in the Conferences were: for Austria, Count Buol-Schauenstein and Baron Prokesch-Osten; for France, Baron Bourqueney; for Great Britain, Lord John Russell and the Earl of Westmorland; for Russia, Prince Gortchakoff and M. de Titoff; for Turkey, Aarif Effendi.

[2] Imperial decrees.

dans sa sagesse que la position politique des 3 Principautés touche de très près les intérêts généraux de l'Europe, s'entendra dans la voie la plus amicale avec les Puissances ses amies, sur le contenu d'un Hat solennel, comprenant l'ensemble des stipulations relatives aux droits et immunités des dites Principautés; elle en fera communication aux Puissances Contractantes, qui de leur côté, après examen. assumeront la garantie.

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in its wisdom that the political position of the 3 Principalities closely touches the general interests of Europe, will arrive at its determination by the most amicable method, with the Powers, its friends, as to the contents of the solemn Hat, comprising the whole body of stipulations relating to the rights and immunities of the said Principalities; it will communicate this to the contracting Powers who on their part, after examination, will assume the guarantee.

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## *Proposition of Prince Gortchakoff Advocating Consultation of the Principalities. March* 17, 1855 [1]

Les immunités dont jouissent ces Provinces, et qui leur sont assurées par des Hatti-schérifs formels, peuvent se résumer en ces termes:

Liberté de culte.

Administration nationale indépendante, régie selon des institutions du pays légalement établies.

Liberté entière du commerce. . . .

Election des Hospodars par l'Assemblée des Divans.

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Par une garantie collective des 5 Puissances, ces immunitées acquéreraient le caractère universel du droit public Européen.

The immunities enjoyed by these Provinces, assured to them by the formal Hatti-scherifs [2] may be summarized in the following terms:

Freedom of worship.

Independent National administration, organized in accordance with the legally established institutions of the country.

Entire freedom of commerce. . . .

Election of the Hospodars by the Assembly of the Divans.

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By a collective guarantee of the 5 Powers, these immunities would acquire the universal character of public European law.

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[1] Annex A to Protocol No. 2. *Brit. St. Pap.*, vol. 45, p. 63.

[2] An imperial decree, countersigned by the Sultan and irrevocable.

Pour arriver à ce résultat, il s'agirait sans nul doute de régulariser quelques points de détail, et dans l'examen de ces questions le Statut Organique qui régit aujourd'hui les Principautés pourra devenir matière à délibération.

Sous ce rapport, je pourrais pour le moment me borner à faire 2 observations:

I. Le Statut a été le résultat de delibérations sérieuses, où les vœux et l'opinion et l'expérience locale des notables des pays ont été dûment pris en considération. S'il s'agit d'y apporter des modifications de manière à ne point compromettre les intérêts réels du pays, il conviendra de procéder à cette révision avec maturité et avec le concours légal d'organes choisis dans son sein.

II. Nul doute que ce travail, par sa nature, ne soit compliqué. Il exigera du temps. Les Plénipotentiaries des 5 Puissances pourront y apporter des vues divergentes. Vouloir achever cette œuvre dans les Conférences actuelles serait ou lui imprimer une hâte qui rendrait incomplète ou prolonger la durée de ces Conférences outre mesure au détriment du but élevé qu'il s'agit d'atteindre.

Ne pourrait-il pas suffire de réserver ces difficultés à un examen subséquent et de commencer par statuer dans le Traité de Paix certains principes généraux:

1. Conservation des privilèges as-

To achieve this result, it is doubtless a question of regulating various details and in the examination of those questions the Organic Act which is today in force in the Principalities might become a matter for deliberation.

Under this heading, I would limit myself for the moment to making 2 observations.

I. The Act has been the result of serious deliberations, in which the wishes and the local experience of the notables of the countries have been duly taken into consideration. If there is a question of modifying it in such a manner as not to compromise the real interests of the country, it would be expedient to proceed to this revision with mature consideration and with the legal assembling of organs chosen in the country.

II. There is no doubt that this work will, from its very nature, be complicated. Time will be necessary. The Plenipotentiaries of the 5 Powers may bring to it divergent views. To endeavor to finish this work in the Conferences themselves would result either in impressing on it a character of haste which would render it incomplete, or in prolonging the duration of the Conferences beyond measure, to the detriment of the object which it is desired to attain. Would it not be sufficient to reserve these difficulties for subsequent examination and to begin by stating in the Treaty of Peace certain general principles:

1. Preservation of the privileges

surés aux Principautés par les Hatti-schérifs existant par rapport à la liberté du culte, l'indépendance de l'administration nationale, la liberté entière du commerce, &c.

2. Accord des 5 Puissances de garantir en commun l'existence de cet état de choses dans un intérêt général d'ordre public et de civilisation.

3. Détermination arrêtée de commun accord de consulter les vœux du pays quant au maintien ou à la modification du Règlement qui constitue la base de son organisation intérieure. Enfin,

4. Ajournement de ce travail à une époque convenue de concert avec le Gouvernement Ottoman.

assured to the Principalities by the existing Hatti-scherifs on the subject of freedom of religion, independence of national administration, entire freedom of commerce, &c.

2. Agreement of the 5 Powers to jointly guarantee the existence of this state of things, in the general interest of public order and of civilization.

3. Determination to be arrived at by common accord, to consult the wishes of the country as to the maintenance or the modification of the Act which constitutes the basis of its internal organization. Lastly,

4. Adjournment of this undertaking to a time agreed on in concert with the Ottoman Government.

### *Development of the First Point of the Memorandum as Finally Adopted March* 19, 1855 [1]

1. Les Principautés Danubiennes de Moldavie, de Valachie, et de Serbie continueront à relever de la Sublime Porte en vertu des anciennes capitulations et Hats Impériaux qui ont fixé et déterminé les droits et immunités dont elles jouissent.

Aucune protection exclusive ne sera dorénavant exercée sur ces Provinces.

2. La Sublime Porte, dans la plénitude de son pouvoir suzerain, conservera aux dites Principautés leur ad-

1. The Danubian Principalities of Moldavia, of Wallachia, and of Serbia shall continue to be held of the Sublime Porte by virtue of the ancient capitulations and Imperial Hats which have fixed and determined the rights and immunities which they enjoy.

No exclusive protection shall henceforth be exercised over these Provinces.

2. The Sublime Porte, in the fullness of its suzerain power, shall preserve to the said Principalities their

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[1] Annex to Protocol No. 3. *Brit. St. Pap.*, vol. 45, p. 67. The Protocol reads: "after a minute discussion by each of the members, agreement was reached on the text, of which a copy is here annexed."

ministration indépendante et nationale, et par conséquent la pleine liberté de culte, de législation, de commerce et de navigation.

Toutes les clauses contenues dans les Hats Impériaux, lesquelles ont pour objet l'organisation intérieure de ces Principautés, ne pourront être développées que dans un esprit conforme à ces principes et selon les besoins dûment constatés du pays.

Le territoire des dites Principautés ne pourra subir aucune diminution.

3. La Sublime Porte, considérant dans sa sagesse que la position politique des 3 Principautés, dont il s'agit, touche de très près aux intérêts généraux de l'Europe, s'entendra dans la voie la plus amicale avec les Puissances Contractantes, soit pour le maintien de la législation en vigueur dans ces provinces, soit pour les modifications à y apporter. A cet effet elle consultera les vœux du pays et consignera dans un Hatti-schérif solennel l'ensemble des dispositions relatives aux droits et immunités des dites Principautés. Avant de le promulguer elle fera communication de cet Acte aux Puissances, qui, de leur côté après examen, en assumeront la garantie.

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independent and national administration, and, in consequence, full freedom of worship, of legislation, of commerce and of navigation.

All the clauses contained in the Imperial Hats, which have as their object the internal organization of these Principalities, can be developed only in a spirit in conformity with their principles and according to the duly established needs of the country.

The territory of the said Principalities shall not be in any way diminished.

3. The Sublime Porte, considering in its wisdom that the political position of the 3 Principalities, which is under discussion, touches closely the general interests of Europe, shall arrive at its determination by the most amicable method with the Contracting Powers, whether it be for the maintenance of the legislation in force in those provinces, or for modifications to be made to them. For this purpose it shall consult the wishes of the country and shall deposit in a solemn Hatti-scheriff the dispositions relative to the rights and immunities of the said Principalities. Before promulgating this it shall communicate this Act to the Powers, which, on their part, after examination, shall assume the guarantee.

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## *Congress of Paris.— Extracts from Protocols Nos.* 1, 6, 8 *and* 22. *February* 25–*April* 16, 1856[1]

### Annexe au Protocole No. 1.

Présents:

Les Représentants de la France,
" " de l'Autriche,
" " de la Grande Bretagne,
" " de la Russie,
" " de la Turquie.

Par suite de l'acceptation par leurs Cours respectives des cinq propositions renfermées dans le document ci-annexé sous le titre de Projet de Préliminaires, les Soussignés, après l'avoir parafé, conformément à l'autorisation qu'ils ont reçue à cet effet, sont convenus que leurs Gouvernements nommeront chacun des Plénipotentiaires munis des pleins pouvoirs nécessaires pour procéder à la signature des Préliminaires de Paix formels, conclure un armistice et un Traité de Paix définitif. Les dits Plénipotentiaires auront à se réunir à Paris dans le terme de trois semaines à partir de ce jour, ou plus tôt si faire se peut.

Fait à Vienne le premier février, mil huit cent cinquante-six, en quintuple expédition.

(Ont signé) Bourqueney. Buol-Schaunestein. G. H. Seymour. Gortchakoff. Hizam.

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### Annex to Protocol No. 1.

Present:

The Representatives of France
" " " Austria
" " " Great Britain
" " " Russia
" " " Turkey

Following the acceptance by their respective Courts of the five propositions set forth in the document annexed herewith under the title of Preliminary Draft, the undersigned, after having affixed their signatures, according to the authorization which they have received to that effect, are agreed that their Governments should each name Plenipotentiaries with full power necessary to proceed to the signing of the formal Preliminaries of Peace, to conclude an armistice and a definitive Treaty of Peace. The said Plenipotentiaries shall meet at Paris within three months from today, or earlier if possible.

Done at Vienna, the first of February 1856 with five copies.

(Signed) Bourqueney. Buol-Schauenstein. G. H. Seymour. Gortchakoff. Hizam.

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[1] Martens, *N. R. G.*, vol. 15, p. 700 *et seq.*

### PROJET DE PRÉLIMINAIRES.

1. Principautés Danubiennes.

Abolition complète du Protectorat Russe.

La Russie n'exercera aucun droit particulier ou exclusif de protection ou d'ingérence dans les affaires intérieures des Principautés Danubiennes.

Les Principautés conserveront leurs privilèges et immunités sous la suzeraineté de la Porte, et le Sultan, de concert avec les Puissances Contractantes, accordera, en outre, à ces Principautés ou y confirmera une organisation intérieure, conforme aux besoins et aux vœux des populations.

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### Protocole No. 6.— Séance du 8 mars 1856.

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Le Congrès passe à l'examen des propositions relatives à l'organisation des Principautés.

M. LE COMTE WALEWSKI fait remarquer qu'avant de toucher à ce point important de la négociation, il est indispensable de délibérer sur une question qui est dominante et à la solution de laquelle se trouvent nécessairement subordonnés les travaux ultérieurs du Congrès à ce sujet; cette question est celle de savoir si la Moldavie et la Valachie seront désormais réunies en une seule Principauté, ou si elles continueront à posséder une administration séparée. M. le Premier Plénipotentiaire de la France pense que la réunion des deux Provinces ré-

### PRELIMINARY DRAFT.

1. Danubian Principalities.

Complete abolition of the Russian Protectorate.

Russia shall exercise no particular or exclusive rights of protection, or of interference in the internal affairs of the Danubian Principalities. The Principalities shall preserve their privileges and immunities under the suzerainty of the Porte, and the Sultan, in concert with the contracting Powers, shall, moreover, grant to these Principalities, or shall confirm to them, an internal organization, in conformity with the needs and with the wishes of the populations.

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### Protocol No. 6 — Session of March 8, 1856.

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The Congress passes to the examination of the propositions relating to the organization of the Principalities.

COUNT WALEWSKI draws attention to the fact that before touching on this important point of the negotiations, it is indispensable that discussion should take place on a question which is a dominant one, and to the solution of which the further labors of the Congress on this subject are necessarily subordinate; this question is that of whether Moldavia and Wallachia shall be henceforth united in one Principality, or whether they shall continue to have a separate administration. The First Plenipotentiary of France is of the opinion that as the pondant à des nécessités révélées par un examen attentif de leurs véritables intérêts, le Congrès devrait l'admettre et la proclamer.

M. le Premier Plénipotentiaire de la Grande-Bretagne partage et appuie la même opinion, en se fondant particulièrement sur l'utilité et la convenance à prendre en sérieuse considération les vœux des populations dont il est toujours bon, ajoute-t-il, de tenir compte.

M. le Premier Plénipotentiaire de la Turquie la combat. Aali Pacha soutient qu'on ne saurait attribuer à la séparation des deux provinces la situation, à laquelle il s'agit de mettre un terme; que la séparation date des temps les plus reculés, et que la perturbation qui a régné dans les Principautés, remonte à une époque relativement récente; que la séparation est la conséquence naturelle des mœurs et des habitudes, qui diffèrent dans l'une et l'autre province, que quelques individus, sous l'influence de considérations personelles, ont pu formuler un avis contraire à l'état actuel, mais que telle n'est pas certainement l'opinion des populations.

M. le Comte de Buol, quoique n'étant pas autorisé à discuter une question que ses instructions n'ont pas prévue, pense, comme le Premier Plénipotentiaire de la Turquie, que rien ne justifierait la réunion des deux provinces; les populations, ajoute-t-il n'ont pas été consultées, et, si l'on considère le prix que chaque agglomération

union of the two Provinces corresponds to the necessities revealed by a careful examination of their true interests, the Congress should admit and proclaim it .

The First Plenipotentiary of Great Britain shares and supports the same opinion, basing it especially on the utility and propriety of taking into serious consideration the wishes of the populations, which, he adds, it is always well to consider.

The First Plenipotentiary of Turkey opposes this view. Aali Pasha maintains that it is impossible to attribute to the separation of the two provinces the situation to which it is a question of making an end; that the separation dates from the most ancient times, and that the unrest which has prevailed in the Principalities dates from an epoch relatively recent; that the separation is the natural consequence of customs and habits, which differ in the two provinces; and that certain individuals, under the influence of personal considerations, have formed an opinion contrary to the actual fact, but that such is certainly not the opinion of the populations.

Count de Buol, although not authorized to discuss a question not provided for in his instructions, agrees with the First Plenipotentiary of Turkey that nothing would justify the union of the two provinces; the populations, he adds, have not been consulted and, if one considers the value which each group attaches to its au-

tion attache à son autonomie, on peut en déduire *a priori,* que les Moldaves, comme les Valaques, désirent, avant tout, conserver leurs institutions locales et séparées.

Après avoir développé tous les motifs qui militent pour la réunion, M. LE COMTE WALEWSKI répond que le Congrès ne peut consulter directement ces populations, et qu'il doit nécessairement procéder à cet égard par voie de présomption. Or, dit-il, tous les renseignements s'accordent à représenter les Moldo-Valaques comme unanimement animés du désir de ne plus former, à l'avenir, qu'une seule Principauté. . . .

M. LE PREMIER PLÉNIPOTENTIAIRE DE L'AUTRICHE ne croit pas pouvoir accorder une foi entière aux informations sur lesquelles se fonde le Premier Plénipotentiaire de la France. Il pense d'ailleurs, que l'opinion du Premier Plénipotentiaire de la Turquie, mieux placé qu'aucun autre membre du Congrès pour apprécier les véritables besoins et les vœux des populations, mérite d'être prise en considération particulière: que, d'autre part, les Puissances sont, avant tout, engagées à maintenir les privilèges des Principautés, et que ce serait y porter une grave atteinte que de contraindre les deux provinces à se fondre l'une dans d'autre, puisque au nombre de ces privilèges se trouve, avant tout, celui de s'administrer séparément. Il ajoute que plus tard, et quand on aura constitue dans les Principautés une institution pouvant être régulièrement considérée comme l'organe légitime

tonomy, one can deduce *a priori* that the Moldavians, like the Wallachians, wish above all things to maintain their local and separate institutions.

Having developed all the forces which militate for union, COUNT WALEWSKI answers that the Congress can not consult these populations directly, and that it must necessarily proceed in this respect by means of presumption. But, he says, all the information agrees in showing the Moldavians and Wallachians as unanimously desirous of forming in the future but one single Principality. . . .

The FIRST PLENIPOTENTIARY OF AUSTRIA does not feel able to give full credence to the information on which the First Plenipotentiary of France relies. Moreover, he thinks that the opinion of the First Plenipotentiary of Turkey, better placed than any other member of the Congress to appreciate the true needs and wishes of the populations, is entitled to special consideration: that on the other hand the Powers are pledged, before all, to maintain the privileges of the Principalities, and that to force the two provinces to merge would be a grave infringement on their privileges since the foremost among these is that of being separately administered. He adds that later, and when there shall have been established in the Principalities an institution which could be regularly considered as a legitimate organ of the wishes of the country, one could, if occasion arose, proceed des vœux du pays, on pourra, s'il y a lieu, procéder à l'union des deux provinces avec une parfaite connaissance de cause.

M. le Baron de Bourqueney répond au Premier Plénipotentiaire de l'Autriche qu'il ne peut partager son appréciation. Les bases de la négociation, dit-il, portent que les Principautés conserveront leurs privilèges et immunités, et que le Sultan, de concert avec ses alliés, leur accordera ou y confirmera une organisation intérieure conforme aux besoins et aux vœux des populations. Nous avons donc, à Vienne, entendu réserver au Sultan et à ses alliés le droit et le soin de se concerter sur les mesures propres à assurer le bonheur de ces peuples, en tenant compte de leurs vœux. Or, la France a déposé, aux Conférences de l'an dernier, un Acte qui a placé la question sur le terrain de la discussion, et il ne s'est élevé nulle part, depuis lors, une manifestation tendant à infirmer les renseignements qui nous portent à croire que les Moldo-Valaques désirent la réunion des provinces en une seule Principauté.

M. le Premier Plénipotentiaire de Sardaigne rappelle, afin d'établir que le vœu des populations à cet égard est antérieur aux circonstances actuelles, qu'un Article du Statut Organique a préjugé la question en déposant dans cet Acte le principe de la réunion éventuelle des Principautés.

Aali Pacha soutient que l'Article

to the union of the two provinces with a perfect knowledge of the facts.

Baron de Bourqueney replies to the First Plenipotentiary of Austria that he can not share his opinion. The bases of the negotiation, he says, state that the Principalities shall maintain their privileges and immunities, and that the Sultan, in concert with his allies, shall grant or confirm to them an internal organization in conformity with the needs and wishes of the populations. We have accordingly understood, at Vienna, that there is reserved to the Sultan and his allies the right and duty to act in concert on the measures calculated to assure the well-being of these peoples, taking their wishes into consideration. But France, at the Conferences of the preceding year, has presented an Act which has opened the question to discussion and there have occurred since then no manifestations tending to contravert the information which leads us to believe that the Moldo-Wallachians desire the union of the two Provinces into one single Principality.

The First Plenipotentiary of Sardinia, in order to establish the fact that the wish of the peoples on this point antedates the present circumstances, recalls that an article of the Organic Statute has settled the question by embodying in the Act the principle of the eventual union of the Principalities.

Aali Pacha contends that the Arti-cité par M. le Comte de Cavour ne saurait comporter une semblable interprétation.

M. le Comte Orloff déclare que les Plénipotentiaires de Russie, ayant pu apprécier les besoins et les vœux des deux Principautés, appuient le projet de réunion comme devant aider à la prospérité de ces provinces.

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## Protocole No. 8.— Séance du 12 mars 1856.

Le Protocole de la séance précédente est lu et approuvé.

M. le Baron de Bourqueney rend compte du travail de la Commission qui, dans la dernière réunion, a été chargée de préparer le texte des Articles du Traité concernant l'organisation future des Principautés.

Avant de donner lecture des Articles proposés par la Commission, M. le Baron de Bourqueney établie que le but du travail de cette Commission a été de concilier les opinions émises dans la dernière séance.

La marche proposée par la Commission, ajoute M. le Baron de Bourqueney, repose sur trois principes:

Conclure la paix sans en subordonner l'instrument final à un acte diplomatique resté en suspens:

Prendre les mesures propres à s'assurer du vœu des populations sur des questions de principe non encore résolues;

Respecter les droits de la Puissance

cle cited by Count Cavour is not open to such an interpretation.

Count Orloff declares that the Plenipotentiaries of Russia, having been able to appreciate the needs and wishes of the two Principalities, support the project of union as an aid to the prosperity of these provinces..

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## Protocol No. 8 — Session of March 12, 1856.

The Protocol of the preceding Session is read and approved.

Baron de Bourqueney reports on the work of the Committee which at the last Session was charged with the preparation of the text of the Articles of the Treaty concerning the future organization of the Principalities.

Before reading the Articles proposed by the Commission, Baron de Bourqueney states that the object of the work of the Commission has been to reconcile the opinions expressed at the last session.

The policy proposed by the Committee, adds Baron de Bourqueney, rests on three principles:

To conclude peace without subordinating the final instrument to a postponed diplomatic act:

To take suitable measures to make certain as to the wish of the populations on the questions of principle not yet settled:

To respect the rights of the Suze-

Suzeraine, et ne pas laisser de côté ceux des Puissances garantes, en établissant la double nécessité d'un acte diplomatique pour consacrer les principes adoptés comme bases de l'organisation des Principautés, et d'un hatti-schérif pour en promulguer l'application.

Partant de ces trois idées, la Commission propose l'envoi immédiat à Bucharest de délégués, qui s'y réuniront à un Commissaire Ottoman.

Des Divans *ad hoc* seraient convoqués sans retard au cheflieu des deux Provinces. Ils seraient composés de manière à offrir les garanties d'une véritable et sérieuse représentation.

La Commission Européenne, prenant en considération les vœux exprimés par les Divans, réviserait les statuts et règlements en vigueur. Son travail serait transmis au siège actuel des Conférences. Une Convention diplomatique basée sur ce travail, serait conclue entre les Puissances Contractantes, et un hatti-schérif, constituant l'organisation définitive, serait promulgué par le Sultan.

Le Congrès adopte la marche proposée, et renvoie à une autre séance l'adoption définitive du texte des Articles dont M. le Baron de Bourqueney a donné lecture.

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Protocole No. 22.— Séance du 8 avril 1856.

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Au nom de la Commission chargée

rain Power, and not to disregard those of the Guaranteeing Powers, by establishing the necessity both of a diplomatic act to embody the principles adopted as bases of organization of the Principalities, and of a *hatti-scherif* to promulgate the application of them.

Taking these three ideas as their point of departure, the Commission proposes the immediate dispatch of delegates to Bucharest who shall there meet an Ottoman Commissioner.

Divans *ad hoc* should be convoked without delay at the capitals of the two Provinces. They should be constituted in such a manner as to offer guarantees of an accurate and dignified representation.

The European Commission, taking into consideration the wishes expressed by the Divans, should revise the statutes and laws in force. Its work should be communicated to the then seat of the conferences. A diplomatic convention based on this work, should be concluded between the contracting powers, and a *hatti-scherif* establishing the definitive organization, should be promulgated by the Sultan.

The Congress adopts the policy proposed and postpones to another session the definitive adoption of the text of the articles which Baron Bourqueney has read.

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Protocol No. 22 — Session of April 8, 1856.

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In the name of the Commission

d'en proposer la rédaction, M. LE BARON DE BOURQUENEY donne lecture d'un projet d'instructions destinées aux Commissaires qui devront se rendre dans les Principautés, aux termes de l'Article XXIII du Traité de Paix.

M. LE COMTE DE CLARENDON fait remarquer que le Congrès s'est avant tout proposé, en s'occupant des Provinces Danubiennes, de provoquer l'expression, librement émise, des vœux des populations, et que cet objet pourrait ne pas se réaliser si les Hospodars restaient en possession des pouvoirs dont ils disposent, et qu'il y aurait lieu peut-être de rechercher une combinaison de nature à assurer une liberté complète aux Divans *ad hoc*.

M. LE PREMIER PLÉNIPOTENTIAIRE DE L'AUTRICHE répond qu'on ne doit toucher à l'administration, dans un moment de transition comme celui que les Principautés vont traverser, qu'avec une extrême réserve, et que ce serait tout compromettre que de mettre fin à tous les pouvoirs avant d'en avoir constitué de nouveaux; que c'est à la Porte, dans tous les cas, que le Congrès devrait laisser le soin de prendre les mesures qui pourraient être jugées nécessaires.

AALI PACHA expose que l'administration actuelle ne présente pas, peut-être, toutes les garanties que le Congrès pourrait désirer; mais qu'on s'exposerait à tomber dans l'anarchie, si l'on tentait de sortir de l'ordre legal.

LORD CLARENDON représente qu'il

charged with the preparation of the text, BARON DE BOURQUENEY reads a draft of instructions to be sent to the Commissioners who are to be sent to the Principalities, according to the terms of Article XXIII of the Treaty of Peace.

The EARL OF CLARENDON draws attention to the fact that the Congress has proposed first of all, in occupying itself with the Danubian Provinces, to provoke the expression, freely given, of the wishes of the populations, and that this object could not be achieved if the Hospodars should remain in possession of the powers at their disposal, and that it would perhaps be advisable to seek an arrangement of such a nature as to assure complete liberty to the Divans *ad hoc*.

The FIRST PLENIPOTENTIARY OF AUSTRIA answers that, at a moment of transition such as this which the Principalities are going through, one should interfere with the administration only with extreme caution, and that to put an end to all existing authority before setting up new ones would be to compromise everything; that in any event the Congress should leave to the Porte the duty of taking those measures which might be judged necessary.

AALI PACHA states that the present administration does not, perhaps, present all the guarantees which the Congress could desire; but that there would be danger of anarchy should there be any attempt to depart from the legal order.

LORD CLARENDON answers that he

n'entend nullement proposer le renversement de tous les pouvoirs; et, avec d'autres Plénipotentiaries, il rappelle que l'autorité des Hospodars actuels touche au terme fixé par l'arrangement qui la leur a confiée, et que, pour rester dans les limites de l'ordre légal, il y a précisément lieu d'aviser.

Plusieurs Plénipotentiaires rappellent également que la Loi Organique prévoit l'interruption du pouvoir des Hospodars.

Après ces explications, le Congrès décide qu'il s'en réfère à la Sublime Porte pour prendre, s'il y a lieu, à l'expiration des pouvoirs des Hospodars actuels, les mesures nécessaires et propres à remplir les intentions du Congrès, en combinant la libre expression des vœux des Divans avec le maintien de l'ordre et le respect de l'état légal.

Sur la proposition de MM. les Premiers Plénipotentiaires de la Grande-Bretagne et de la France, et pour prévenir tout conflit ou des discussions regrettables, il est également convenu que le firman qui doit ordonner la convocation des Divans *ad hoc* fixera les règles qui devront être suivies en ce qui concerne la présidence de ces assemblées et le mode de leurs délibérations.

Après avoir pris ces résolutions, le Congrès adopte, sauf quelques modifications qui y sont introduites, les instructions dont M. le Baron Bour-

has no intention of proposing the overturn of all authority and, with the other Plenipotentiaries he recalls the fact that the authority of the present Hospodars is approaching the limit of time fixed by the arrangement by which it was bestowed on them, and that in order to remain within the bounds of legality it was necessary to take counsel.

Several Plenipotentiaries also recall that the Organic Law provided for the suspension of the power of the Hospodars.

After these explanations the Congress decides that it shall be left to the Sublime Porte, if it deems it advisable, at the expiration of the powers of the present Hospodars, to take measures necessary and proper to carry out the intentions of the Congress, combining the free expression of the wishes of the Divans with the maintenance of order and respect for law.

On the proposition of the Plenipotentiaries of Great Britain and France, and to prevent any conflict or regrettable discussion, it is also agreed that the firman which shall convoke the Divans *ad hoc* shall fix the rules to be followed in all that concerns the matter of presiding over the assemblies and the manner of their deliberations.

After having taken these resolutions, the Congress adopts, except for certain modifications, the instructions of which Baron Bourqueney has prequeney a présenté le projet, et qui sont annexées au présent Protocole.[1]

. . . . .

sented the draft, and which are annexed to the present Protocol.

. . . . .

## *Treaty of Peace Between Austria, France, Great Britain, Prussia, Russia, Sardinia and the Ottoman Porte, Signed at Paris, March* 30, 1856[2]

Au nom de Dieu Tout-Puissant.

Leurs Majestés l'Empereur des Français, la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, l'Empereur de toutes les Russies, le Roi de Sardaigne et l'Empereur des Ottomans, animés du désir de mettre un terme aux calamités de la guerre, et voulant prévenir le retour des complications qui l'ont fait naître, ont résolu de s'entendre avec Sa Majesté l'Empereur d'Autriche sur les bases à donner au rétablissement et à la consolidation de la paix, en assurant, par des garanties efficaces et réciproques, l'indépendance et l'intégrité de l'Empire Ottoman.

A cet effet, Leursdites Majestés ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté l'Empereur des Français: le sieur Alexandre, Comte Colonna Walewski, . . . et le sieur François-Adolphe, Baron de Bourqueney . . .

In the name of God the Omnipotent.

Their Majesties the Emperor of the French, the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of all the Russias, the King of Sardinia, and the Emperor of the Ottomans, animated by the desire to put an end to the calamities of the war, and wishing to prevent the return of the complications which have given rise to it, have resolved to come to an understanding with His Majesty the Emperor of Austria as to the bases on which the reestablishment and strengthening of peace shall be effected, at the same time assuring, by effective and reciprocal guarantees, the independence and the integrity of the Ottoman Empire.

For this purpose, their said Majesties have named as their Plenipotentiaries, that is to say;

His Majesty the Emperor of the French; the Sieur Alexander, Count Colonna Walewski . . . and the Sieur François-Adolphe, Baron de Bourqueney . . .

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[1] See p. 746. The Commission not having yet been appointed, it was agreed by the Congress that these instructions should not be made public for the present.

[2] Martens, *N. R. G.*, vol. 15, p. 770. The ratifications were exchanged at Paris on April 27, 1856.

Sa Majesté l'Empereur d'Autriche: le sieur Charles-Ferdinand, Comte de Buol-Schauenstein, . . . et le sieur Joseph-Alexandre, Baron de Hübner . . .

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande: le Très-Honorable George-Guillaume-Frédéric, Comte de Clarendon, . . . et le Très Honorable Henri-Richard-Charles, Baron Cowley . . .

Sa Majesté l'Empereur de toutes les Russies: le sieur Alexis, Comte Orloff, . . . et le sieur Philippe, Baron de Brunnow . . .

Sa Majesté le Roi de Sardaigne: le sieur Camille Benso, Comte de Cavour, . . . et le sieur Salvator, Marquis de Villamarina . . .

Et Sa Majesté l'Empereur des Ottomans: Mouhammed - Emin - Aali - Pacha, . . . et Mehammed - Djémil - Bey . . .

Lesquels se sont réunis en Congrès à Paris.

L'entente ayant été heureusement établie entre eux, Leurs Majestés l'Empereur des Français, l'Empereur d'Autriche, la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, l'Empereur de toutes les Russies, le Roi de Sardaigne et l'Empereur des Ottomans, considérant que, dans un intérêt Européen, Sa Majesté le Roi de Prusse, signataire de la Convention du treize juillet, mil huit cent quarante et un, devait être appelée à participer aux nouveaux arrangements à prendre, et appréciant la valeur qu'ajouterait à une œuvre

His Majesty the Emperor of Austria; the Sieur Charles Ferdinand, Count von Buol-Schauenstein, and the Sieur Joseph-Alexander, Baron von Hübner . . .

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland: the Right Honorable George William Frederick, Earl of Clarendon . . . and the Right Honorable Henry Richard Charles, Baron Cowley . . .

His Majesty the Emperor of all the Russias; the Sieur Alexis, Count Orloff, . . . and the Sieur Philip, Baron de Brunnow . . .

His Majesty the King of Sardinia: the Sieur Camillo Benso, Count de Cavour, . . . and the Sieur Salvator, Marquis de Villamarina . . .

And His Majesty the Emperor of the Ottomans: Mouhammed-Emin-Aali-Pasha . . . and Mehemmed-Djemil-Bey . . .

Who are met in Congress at Paris.

Agreement having been happily established between them, their Majesties the Emperor of the French, the Emperor of Austria, the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of all the Russias, the King of Sardinia and the Emperor of the Turks, considering that, in the interest of Europe, His Majesty the King of Prussia, signatory to the Convention of July 13, 1841, should be invited to take part in the new arrangements to be made, and appreciating the value which would be added to a work of general de pacification générale le concours de Sadite Majesté, l'ont invitée à envoyer des Plénipotentiaires au Congrès.

En conséquence, Sa Majesté le Roi de Prusse a nommé pour ses Plénipotentiaires, savoir:

Le sieur Othon-Théodore, Baron de Manteuffel, . . . et le sieur Maximilien - Frédéric - Charles - François, Comte de Hatzfeldt - Wildenburg - Schoenstein, . . .

Les Plénipotentiaires, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants: —

. . . . .

Art. 2. La paix étant heureusement rétablie entre Leursdites Majestés, les territoires conquis ou occupés par leurs armées pendant la guerre seront réciproquement évacués.

Des arrangements spéciaux régleront le mode de l'évacuation, qui devra étre aussi prompte que faire se pourra.

. . . . .

Art. 22. Les Principautés de Valachie et de Moldavie continueront à jouir, sous la suzeraineté de la Porte et sous la garantie des Puissances Contractantes, des privilèges et des immunités dont elles sont en possession. Aucune protection exclusive ne sera exercée sur elles par une des Puissances garantes. Il n'y aura aucun droit particulier d'ingérence dans leurs affaires intérieures.

Art. 23. La Sublime Porte s'engage à conserver auxdites Principautés une administration indépen-

pacification by the participation of His said Majesty, have invited him to send Plenipotentiaries to the Congress.

In consequence, His Majesty the King of Prussia has named as his Plenipotentiaries, that is to say:

The Sieur Otho Theodore, Baron von Manteuffel . . . and the Sieur Maxmilian Frederick Charles Francis, Count von Hatzfeldt-Wildenburg-Schoenstein. . . .

The Plenipotentiaries, after having exchanged their full powers, found in good and due form, have agreed on the following Articles: —

. . . . .

Art. 2. Peace being happily reestablished between their said Majesties, the territories conquered or occupied by their armies during the war shall be reciprocally evacuated.

The manner of evacuation shall be regulated by special arrangements and shall take place as rapidly as possible.

. . . . .

Art. 22. The Principalities of Wallachia and of Moldavia shall continue to enjoy, under the sovereignty of the Porte and under the guarantee of the contracting Powers, the privileges and immunities of which they are in possession. No exclusive protection shall be exercised over them by any one of the guaranteeing Powers. There shall be no particular right of interference in their internal affairs.

Art. 23. The Sublime Porte engages to preserve to the said Principalities an independent and national dante et nationale; ainsi que la pleine liberté de culte, de législation, de commerce et de navigation.

Les lois et statuts aujourd'hui en vigueur seront revisés. Pour établir un complet accord sur cette révision, une Commission Spéciale, sur la composition de laquelle les Hautes Puissances Contractantes s'entendront, se réunira sans délai à Bucharest, avec un Commissaire de la Sublime Porte.

Cette commission aura pour tâche de s'enquérir de l'état actuel des Principautés, et de proposer les bases de leur future organisation.

ART. 24. Sa Majesté le Sultan promet de convoquer immédiatement dans chacune des deux Provinces un Divan *ad hoc,* composé de manière à constituer la représentation la plus exacte des intérêts de toutes les classes de la société. Ces Divans seront appelés à exprimer les vœux des populations relativement à l'organisation définitive des Principautés.

Une instruction du Congrès réglera les rapports de la Commission avec ces Divans.

ART. 25. Prenant en considération l'opinion émise par les deux Divans, la Commission transmettra, sans retard, au siège actuel des Conférences, le résultat de son propre travail.

L'entente finale avec la Puissance Suzeraine sera consacrée par une Convention conclue à Paris entre les Hautes Parties Contractantes; et un

administration; as well as complete liberty of worship, of legislation, of commerce and of navigation.

The laws and statutes at present in force shall be revised. In order to establish a complete agreement as to this revision, a Special Commission, as to the composition of which the High Contracting Powers shall come to an understanding, shall meet without delay at Bucharest, with a Commissioner of the Sublime Porte.

This Commission shall have the duty of inquiring into the present state of the Principalities, and of proposing the bases of their future organization.

ART. 24. His Majesty the Sultan promises to convoke immediately, in each of the two Provinces, a Divan *ad hoc,* composed in such a way as to constitute the most accurate representation of the interests of all classes of society. These Divans shall be invited to express the wishes of the populations relative to the final organization of the Principalities.

A set of instructions drawn up by the Congress shall regulate the relations of the Commission with these Divans.

ART. 25. Taking into consideration the opinion expressed by the two Divans, the Commission shall, without delay, transmit the result of its own work to the then seat of the Conferences.

The final agreement with the Suzerain Power shall be embodied in a Convention concluded at Paris between the High Contracting Parties;

hatti-schérif, conforme aux stipulations de la Convention, constituera définitivement l'organisation de ces provinces, placées désormais sous la garantie collective de toutes les Puissances signataires.

. . . . .

Art. 27. Si le repos intérieur des Principautés se trouvait menacé ou compromis, la Sublime Porte s'entendra avec les autres Puissances Contractantes sur les mesures à prendre pour maintenir ou rétablir l'ordre légal. Une intervention armée ne pourra avoir lieu sans un accord préalable entre ces Puissances.

. . . . .

Art. 34. Le présent Traité sera ratifié, et les ratifications en seront échangées à Paris dans l'espace de quatre semaines, ou plus tôt, si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé le sceau de leurs armes.

Fait à Paris, le trentième jour du mois de mars, de l'an mil huit cent cinquante-six.

(L. S.) A. Walewski. Bourqueney. Buol-Schauenstein. Hübner. Clarendon. Cowley. Manteuffel. Hatzfeldt. Orloff. Brunnow. Cavour. de Villamarina. Aali. Mehemmed-Djémil.

and a hatti-scherif, in conformity with the stipulations of the Convention, shall constitute definitively the organization of these provinces, placed henceforth under the collective guarantee of all the Signatory Powers.

. . . . .

Art. 27. If the internal domestic tranquillity of the Principalities should be menaced or endangered, the Sublime Porte shall concert with the other contracting Powers as to the measures to take to maintain or to reestablish legal order. An armed intervention shall not take place without a previous agreement between the Powers.

. . . . .

Art. 34. The present Treaty shall be ratified and the ratifications shall be exchanged at Paris within the period of four weeks, or sooner if that can be done.

In token of which the respective Plenipotentiaries have signed it and affixed the seal of their arms.

*Done at Paris, March thirtieth in the year Eighteen Hundred and fifty-six.*

(L. S.) A. Walewski. Bourqueney. Buol-Schauenstein. Hübner. Clarendon. Cowley. Manteuffel. Hatzfeldt. Orloff. Brunnow. Cavour. de Villamarina. Aali. Mehemmed-Djémil.

## *Instructions Issued by the Congress of Paris to the Special Commission for the Principalities. April* 8, 1856 [1]

L'article 23 du Traité du 30 mars a institué une Commission spéciale appelée à recueillir les éléments, et à préparer les bases de la future organisation des Principautés danubiennes. En conséquence, les Puissances signataires du Traité se sont entendues sur la composition de cette Commission, conformément aux stipulations dudit Traité, et le Congrès assemblé à Paris a approuvé l'instruction destinée à régler la conduite des Commissaires, pendant le cours de leur mission.

Les articles du Traité du 30 mars concernant les Principautés de Valachie et Moldavie, sont ainsi conçus : [2]

. . . . .

Les articles qui précèdent établissent avec précision le caractère général de la tâche confiée aux Commissaires européens. Les questions soumises à leur étude embrassent le système administratif dans sa plus complète expression ; mais les principes irrévocablement consacrés par le Traité doivent demeurer étrangers à leur examen.

C'est à Constantinople que les Commissaires doivent se rendre, aussitôt que l'évacuation successive des territoires ottomans, stipulée par l'article 31 du Traité du 30 mars, aura fait

Article twenty-three of the Treaty of March 30 has instituted a Special Commission to gather together the elements and to preface the bases for the future organization of the Danubian Principalities. The Powers Signatory to the Treaty are consequently agreed on the composition of this Commission, in accordance with the stipulations of the said Treaty, and the Congress assembled in Paris has approved the instructions intended to regulate the conduct of the Commissioners in the course of their mission.

The Articles of the Treaty of March 30 regarding the Principalities of Wallachia and of Moldavia are as follows :

. . . . .

The Articles given above establish with precision the general character of the task confided to the European Commissioners. The questions submitted for their study embrace the administrative system in its most complete expression ; but the irrevocable principles sanctioned by the Treaty should remain foreign to their inquiry.

The Commissioners shall repair to Constantinople as soon as the gradual evacuation of the Ottoman territory stipulated by Article 31 of the Treaty of March 30, shall have made suffi-

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[1] Annex to Protocol No. 22 of the Congress of Paris of 1856 (Session of April 8). *Archives Diplomatiques,* 1866, pt. 2, p. 34.

[2] Articles 22–27 of the Treaty of Paris are here recited in full. See pp. 743–745.

assez de progrès pour que la Commission puisse combiner son arrivée à Bucharest avec la complète cessation des occupations armées temporaires, ainsi qu'avec l'éxécution de l'article 20 relatif à la rectification de la frontière moldave.

Une force indigène veillera alors au maintien de l'ordre public, et l'autorité administrative aura pu, d'ici là, presser le développement de son organisation de manière à ce qu'elle puisse répondre à toutes les exigences de la situation.

A leur arrivée à Constantinople, les Commissaires devront s'assurer que l'envoi des Firmans de convocation des Divans a eu lieu. La Porte, aux termes du Traité du 30 mars, s'est engagée a faire cette convocation dans les formes les plus propres à assurer une représentation fidèle des intérêts de toutes les classes de la société.

De Constantinople, la Commission se rendra à Bucharest. Elle n'y apportera aucun système préconçu; mais elle s'y entourera de toutes les lumières, de toutes les informations qui lui permettront d'asseoir un jugement impartial sur l'état du pays, en se rappelant toujours qu'elle n'a que le caractère consultatif, et que ses opinions, réservées uniquement pour les Gouvernements dont le mandat lui est confié, ne doivent jamais transpirer sur le terrain de ses investigations.

La Commission portera particulière-

cient progress for the Commission to be able to time its arrival at Bucharest with the complete cessation of the temporary armed occupation, as well as with the execution of Article 20 relating to the rectification of the Moldavian frontier.

A native force shall thereupon care for the public order, and in the meantime the administrative authority shall have the power to press forward with the development of its organization in such a way that it may be able to respond to all the exigencies of the situation.

On their arrival at Constantinople, the Commissioners shall make certain that the Firmans of convocation of the Divans have been dispatched. The Porte, by the terms of the Treaty of March 30, has engaged to issue this convocation in the form most calculated to assure a faithful representation of the interests of all classes of society.

From Constantinople the Commission shall repair to Bucharest. It shall not take with it any preconceived theory; but it shall procure all the enlightenment and all the information which will permit it to form an impartial judgment as to the state of the country, always bearing in mind that it has only a consultative character, and that its opinions, reserved absolutely for the Governments with whose mandates they are entrusted, should never be given on the ground where the investigations are being conducted.

The Commission shall turn its at-ment son attention sur les réformes que réclament les statuts et règlements en vigueur; elle étudiera l'état financier, l'assiette de l'impôt, les rapports du Clergé avec l'Administration, le régime des couvents, le système militaire, les développements dont il est susceptible dans une juste proportion avec les ressources financières du pays. Elle examinera le principe constitutif du Pouvoir et les questions qui s'y rattachent, mais elle ne discutera aucun système qui serait en opposition patente avec les principes généraux consacrés par le Traité du 30 mars.

Aussitôt que les Divans seront constitués dans les deux Principautés, la Commission, par celui de ses membres qu'elle aura choisi pour organe, se mettra en relation avec les Présidents de ces Divans. Elle les invitera à lui transmettre l'expression des vœux manifestés sur les améliorations que comportent toutes les branches de l'administration, et, en général, sur les réformes qui embrassent dans leur ensemble l'organisation des Principautés.

Si les vœux manifestés par les Divans ne sont pas jugés par la Commission de nature à éclairer suffisamment toutes les matières soumises à son examen, elle leur adressera des questions subsidiaires, et provoquera les réponses nécessaires pour compléter son propre travail.

Pendant les réunions des Divans, aucune influence ne devra être exercée sur la marche de leurs déliberations. Toute agitation extérieure en fausserait le résultat et retarderait, si elle ne

tention particularly to the reforms which are called for by the statutes and acts in force; it shall study the financial status, the state of taxation, the relations of the Clergy with the Administration, the regulation of convents, the military system, and the developments of which it is susceptible in a just proportion to the financial resources of the country. It shall examine the constituent principle of power and the questions relating to it, but it shall discuss no system in patent opposition to the general principles sanctioned by the Treaty of March 30.

Immediately on the institution of the Divans in the two Principalities, the Commission, through those of its members chosen by it as its medium, shall put itself in relation with the Presidents of the Divans. It shall invite them to transmit to it the expression of the wishes manifested concerning the amelioration suitable to all the branches of the administration, and in general, concerning the reforms which embrace in their entirety the organization of the Principalities.

If the wishes manifested by the Divans are judged by the Commission not to be of a nature sufficient to give light on all the matters submitted to it for examination, it shall address subsidiary questions to them, and shall provoke the answers necessary to complete its proper labors.

During the meetings of the Divans, no influence whatever shall be exercised over the course of their deliberations. Any external agitation will falsify the result, and delay, if it does

les compromettait pas pour toujours, les améliorations que les Puissances signataires du Traité du 30 mars s'efforcent, de concert avec la Porte, d'introduire dans le régime intérieur des Principautés. Lorsque les délibérations des Divans seront terminées, la Commission se mettra d'accord sur le Rapport d'ensemble qu'elle doit adresser au siège actuel des Conférences. Si cet accord n'avait pas lieu sur tous les points, elle reproduira à la fois les opinions unanimes et celles qui n'auraient pas pu se concilier dans son sein.

En général, dans le cours de ses opérations, la Commission ne perdra pas de vue son véritable caractère. C'est une enquête impartiale dont elle est chargée, et elle ne répondra exactement à l'esprit de son institution qu'en se prémunissant, dans ses rapports avec les fonctionnaires et les personnes privées, contre tout acte d'autorité ou d'ingérence qui serait en contradiction formelle avec le but de sa mission.

. . . . .

not compromise for all time, the ameliorations which the Powers signatory to the Treaty of March 30 are striving, in concert with the Porte, to introduce into the internal government of the Principalities. When the deliberations of the Divans shall be terminated, the Commission shall agree on a joint report which it shall address to the then seat of the Conferences. If this agreement is not reached on all points, it shall set forth both those opinions which are unanimous and those on which agreement has not been possible.

In general, the Commission, in the course of its operations, shall not lose sight of its true character. It is charged with an impartial inquiry and in its dealings with officials and with private individuals it will respond exactly to the spirit of its institution only by taking measures against all acts of authority or of interference which may be in formal contradiction with the object of its mission.

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## *Firman of Convocation of the Divans "ad hoc" of Wallachia and of Moldavia. Adopted January* 13, 1857 [1]

*Au caïmacan de Valachie* (*de Moldavie*).

De même que notre gouvernement impérial s'est appliqué, en tout temps, à maintenir les privilèges et immunités octroyés par nos glorieux ancêtres à chacune des provinces de Valachie et de Moldavie, qui font partie

*To the Caimacam of Wallachia* (*of Moldavia*):

As our Imperial Government has at all times bent its efforts towards the maintenance of the privileges and immunities conceded by our glorious ancestors to each of the provinces of Wallachia and of Moldavia, which

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[1] *Arch. Dip.*, 1866, pt. 2, pp. 55–59.

intégrante de notre empire, et à mettre ses soins à augmenter et à étendre le bien-être des populations, nous avons aussi voulu, comme une marque de nos sentiments de haute équité pour tous les habitants de nos États en général, tout en conservant aux habitants des deux provinces les anciens privilèges et immunités dont ils sont en possession, faire réviser et améliorer les règlements organiques intérieurs de chacune des susdites provinces, afin de compléter et d'assurer le bien-être de toutes les classes de leur population.

Les dispositions des puissances s'étant trouvées en parfait accord avec nos sentiments, nous sommes convenus avec elles que les lois et statuts d'aujourd'hui en vigueur dans lesdits provinces, seraient révisés, et que, pour établir un complet accord sur cette révision, une commission spéciale, composée des puissances garantes, en vertu du traité du 30 mars, se réunira à Bucharest, avec un commissaire de la Sublime-Porte, pour s'enquérir de l'état actuel des Principautés et proposer les bases de leur future organisation. En conséquence, Mehmed-Esaad-Savfet, mustechar du grand vizir, l'un des dignataires de notre gouvernement, a été nommé comme délégué de la Sublime-Porte.

Ayant également promis de convoquer, dans chacune des deux provinces, un Divan *ad hoc,* composé de manière à constituer la représentation la plus équitable des intérêts de toutes

form an integral part of our Empire, and to the augmentation and the extension of the well being of the populations, we have wished, as a mark of our sentiments of the highest justice towards all the inhabitants of our States in general, while preserving to the inhabitants of the two Provinces the ancient privileges and immunities of which they are in possession, to effect a revision and an amelioration of the internal Organic Acts of each of the aforesaid Provinces, in order to complete and to assure the well being of all classes of their population.

The dispositions of the Powers being found to be in perfect accord with our sentiments, we are come to an agreement with them to the effect that the laws and statutes to-day in force in the aforesaid Provinces shall be revised, and that, in order to establish complete accord in this revision, a special Commission composed of the guaranteeing Powers, by virtue of the Treaty of March 30, shall meet at Bucharest, with a Commissioner of the Sublime Porte, to enquire into the present state of the Principalities and to propose the bases for their future organization. In consequence, Mehmed-Esaad-Savfet, Mustecher of the Grand Vizier, one of the dignitaries of our Government, has been appointed as delegate by the Sublime Porte.

Having also promised to convoke, in each of the two provinces, a Divan *ad hoc,* composed in such a way as to constitute the most equitable representation of the interests of all classes

les classes de la société, et qui sera appelé à exprimer les vœux des populations relativement à l'organisation définitive des Principautés, notre volonté impériale est de constituer ces Divans sur les bases suivantes:

Art. 1er. Outre le métropolitain et les évêques de la province, qui seront, de droit, membres du Divan, les supérieurs ou administrateurs des monastères propriétaires de biens dédiés, et les supérieurs des monastères propriétaires non dédiés, choisiront séparément deux députés clercs et indigènes, c'est-à-dire, quatre députés en tout; et les prêtres remplissant, à titre quelconque, les fonctions de leur ministère dans le chef-lieu de chaque évêché, se réuniront, sur la convocation de leur évêque diocésain, pour nommer également parmi eux un député au Divan, par diocèse.

Art. 2. Tous les boyards et les fils de boyards, de quelque rang qu'ils soient, à la condition d'être âgés de trente ans, d'être indigènes ou actuellement et légalement naturalisés, et de jouir de tous leurs droits civils, se rendront au chef-lieu du district dans lequel ils sont domiciliés et possèdent une propriété de cent faltches[1] au moins, ou l'équivalent en pogones[2] de terre exploitées et en rapport. Ils y éliront, à la majorité des voix, deux députés au Divan, parmi ceux d'entre eux qui justifieront de la possession d'un immeuble de trois cents faltches au moins, libre de toute charge hy-

of society, and called to express the wishes of the populations as to the definitive organization of the Principalities, it is our imperial will to constitute these Divans on the following bases —

Art. 1. Besides the Metropolitan and the bishops of the province, who shall be *ex officio* members of the Divan, the superiors or administrators of the monasteries owning dedicated lands, and the superiors of the monasteries owning lands not dedicated, shall choose separately two deputies who shall be clerical and native, that is to say, four deputies in all; and the priests fulfilling, with whatever titles, the functions of their ministry in the headquarters of each bishopric, shall meet, on the convocation of their diocesan bishop, to name from among themselves one deputy from each diocese to the Divan.

Art. 2. All the *boyards* and sons of boyards, of whatever rank they may be, on condition of being thirty years of age, native or legally naturalized at the present time, and in the enjoyment of all their civil rights, shall repair to the capital of the district in which they are domiciled and in which they possess a property of 100 faltches at least, or the equivalent in pogones of cultivated and productive land. They shall elect, by majority vote, two deputies to the Divan, from among those of their number who shall prove possession of real property of 300 faltches at least, free

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[1] Faltche, a Moldavian measurement = 2880 stingen, or 2.02 meters.

[2] Pogone, a Wallachian measurement = 1296 stingen.

pothécaire, ou l'équivalent en pogones de terres exploitées et en rapport. Les grands boyards seuls, remplissant cette dernière condition, seront éligibles dans les districts où ils ne seraient pas domiciliés.[1]

Art. 3. Tous les propriétaires, sous quelque dénomination que ce soit, à la condition d'être âgés de trente ans, d'être indigènes ou actuellement et légalement naturalisés, de jouir de tous leurs droits civils, et qui posséderont un bien-fonds d'une contenance de quatre-vingt-dix-neuf faltches en maximum, ou l'équivalent en pogones de terres exploitées et en rapport, et de dix faltches en minimum ou l'équivalent en pogones de terre de même nature, se réuniront au chef-lieu de l'arrondissement où ils sont domicilés, et ils désigneront, parmi eux, à la majorité des voix, cinq électeurs au deuxième degré. Ces délégués se transporteront au chef-lieu du district, et nommeront parmi eux, de la même façon, un député au Divan.

Art. 4. Les communes rurales composées de paysans clacaches, à quelque classe qu'appartiennent les propriétaires de la terre, enverront chacune, au chef-lieu de l'arrondissement, deux délégués au premier degré, nommés dans les formes consacrées pour l'élection des autorités du village. Ces délégués choisiront deux d'entre eux pour remplir les fonctions d'électeurs au deuxième degré, et les électeurs au deuxième degré, réunis au chef-lieu du district, nom-

from all mortgage, or the equivalent in pogones of cultivated and productive land. The great *boyards* alone, fulfilling this latter condition, shall be eligible in the districts where they are not domiciled.

Art. 3. All the proprietors, under whatever denomination, if of thirty years of age, native, or at present legally naturalized, and in the enjoyment of all their civil rights, and who shall be in possession of landed property to the amount of 99 faltches at the maximum, or the equivalent in pogones of cultivated and productive land, and of ten faltches at the minimum or the equivalent in pogones of land of the same kind, shall meet at the capital of the sub-prefecture where they are domiciled, and shall designate from among themselves and by majority vote, five electors to the second college. These delegates shall repair to the chief place of the district, and shall name from among themselves, in the same manner, one deputy to the Divan.

Art. 4. The rural communes composed of peasant serfs, to whatever classes the landed proprietors belong, shall each send to the capital of the sub-prefecture two delegates to the first college, elected in the manner provided for the election of the village authorities. These delegates shall choose two from among themselves to fulfil the functions of electors to the second college, and the electors to the second college, assembled at the capital of the district, shall name from meront parmi eux un député au Divan, qui recevra une indemnité équitable de route et de séjour dans la capitale.

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[1] Abrogated by Article 5 of the Memorandum.

Art. 5. La ville, siège du gouvernement, devant nommer quatre députés au Divan, les deux villes de deuxième ordre [1] chacune deux députés, et les autres villes, chefs-lieux de district chacune un député, les élections dont il s'agit auront lieu sur les bases suivantes:

Seront électeurs, à la condition d'être âgés de trente ans, d'être indigènes ou actuellement et légalement naturalisés, de ne relever d'aucune protection étrangère et de jouir de tous les droits civils:

1° Les habitants propriétaires de maisons de la valeur de vingt mille piastres au moins, pour la capitale, et de huit mille piastres, au moins, pour les autres villes, à l'exception de ceux qui seraient déjà appelés à émettre leur vote en vertu des dispositions n° II et n° III du présent Firman;

2° Les personnes adonnées à une profession libérale comme les professeurs des écoles de l'État, et les membres des diverses académies ou sociétés littéraires et scientifiques organisées et reconnues par le gouvernement, comme les médecins et les hommes de loi munis de diplômes réguliers, et les ingénieurs civils, exerçant les uns et les autres leur fonction ou leur art depuis trois années dans la ville où ils résident;

3° Les négociants patentés des trois classes, inscrits sur les dernières listes

among themselves one deputy to the Divan, who shall receive an equitable sum for his travelling expenses and his stay at the capital.

Art. 5. The city which is the seat of government, shall name four deputies to the Divan [1]; the two cities of the second rank, two deputies each, and the other towns, capitals of their districts, one deputy each, the election of the above deputies to take place on the following basis:

Those persons mentioned below shall be electors who, being thirty years of age, native or at present legally naturalized, are not under any foreign allegiance and are in the enjoyment of all their civil rights:

1. Householders owning houses to the value of 100,000 francs at least, in the capital and 40,000 francs at least, in the other towns, with the exception of those who shall have already been called on to vote by virtue of dispositions No. II and No. III of the present Firman.

2. Those persons pursuing liberal professions, such as professors in State schools and the members of the diverse academies or literary and scientific societies, organized and recognized by the Government, such as doctors, lawyers holding regular diplomas, and civil engineers, all these having in each case been in the practice of their profession for three years in the town in which they reside;

3. Licensed merchants of the three classes, inscribed on the last lists pre-

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[1] Craïova and Braïla.

préparées pour l'élection des municipalités;

4° Les prévôts des diverses corporations d'artisans, auxquels seront adjoints trois délégués par corporation, choisis dans les formes usitées pour la nomination des prévôts.

Tous les électeurs ci-dessus désignés se réuniront au siège de la municipalité, et éliront parmi eux, à la majorité des voix, sans pouvoir émettre un double vote, le nombre des députés au Divan attribué à la ville, selon son ordre.

Bien que l'on doive attendre, pour procéder à l'élection des députés au Divan, l'arrivée de la commission formée du délégué de notre Sublime-Porte et des délégués des puissances garantes, on s'occupera, aussitôt après la publication du présent Firman, de la confection des listes électorales. A cet effet, il sera enjoint aux administrations des districts, de prendre les mesures nécessaires pour que ces listes soient publiées et affichées partout où besoin sera, trente jours au moins avant l'époque fixée pour les élections, de façon à permettre aux réclamations de se produire. Ces réclamations seront examinées par un comité composés de l'ispravnik,[1] des membres du tribunal et de la municipalité du chef-lieu du district.

Toute intervention de l'autorité dans les opérations électorales, qui n'aurait point uniquement pour objet

pared for the elections of the municipalities;

4. The provosts of the diverse guilds, to whom shall be added three delegates for each guild, chosen in the usual manner of election of provosts.

All the electors above designated shall meet at the headquarters of the municipality, and shall elect from among themselves, by majority vote, without power of casting a double vote, the number of deputies to the Divan allotted to the town, according to its rank.

Although the arrival of the Commission composed of the delegate appointed by our Sublime Porte and the delegates of the guaranteeing Powers must be awaited before proceeding to the election of the deputies to the Divan, the drawing up of the electoral lists shall be undertaken immediately on the publication of the present Firman. For this purpose the administrative officials of these districts are ordered to take such measures as are necessary that these lists may be published and posted in all the proper places at least thirty days before the time set for the elections, in order to permit complaints to be entered. These complaints shall be examined by a committee composed of the ispravnik, the members of the tribunal and of the Municipality of the capital of the district.

All intervention of authority in the electoral operations, which shall not be for the sole object of maintaining de maintenir l'ordre, serait abusive et formellement contraire aux intentions de la Sublime-Porte. En conséquence, les ministres, les directeurs des départements et les ispravniks ne pourront se porter comme candidats, qu'en se démettant de leurs fonctions.

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[1] The officer who is chief of police and presiding judge in a rural district.

Afin d'éviter toute confusion, les élections qui doivent se faire dans les chefs-lieux de district auront lieu successivement dans l'ordre indiqué pour les classes appelées à envoyer des représentants au Divan. Il en sera de même pour les élections au siège des arrondissements.

Les députés des différentes classes, réunis en assemblée générale, constitueront le Divan *ad hoc,* appelé à exprimer les vœux de la Principauté touchant la révision des statuts et règlements aujourd'hui en vigueur.

Pour mieux atteindre ce but, les députés de chaque catégorie formeront autant de comités séparés, qui se livreront plus particulièrement à l'étude des diverses questions dans leurs rapports avec les intérêts et les besoins de leur propre classe.

Le Divan ayant seulement pour mission d'émettre des vœux, qui seront d'abord examinés par la commission composée du délégué de notre Sublime-Porte et des délégués des puissances garantes, et discutés ensuite entre notre Sublime-Porte et ses alliés, les propositions émanées des comités particuliers seront, par des rapports séparés, placées sous les yeux de la commission, aussi bien que le résultat des délibérations en assemblée générale.

order, shall be improper and directly contrary to the intentions of the Sublime Porte. Consequently, the ministers, the directors of the departments and the ispravniks shall not run as candidates without having resigned their functions.

In order to prevent any confusion, the elections which shall be held in the capitals of districts shall take place successively, in the order indicated for the classes called on to send representatives to the Divan. It shall be the same for the elections at the headquarters of the districts.

The deputies of the different classes, met in general assembly, shall constitute the Divan *ad hoc,* summoned to express the wishes of the Principality regarding the revision of the Statutes and Acts today in force.

The better to attain this object, the deputies of each category shall form so many separate committees, which shall give themselves more particularly to the study of the diverse questions in their relation to the interests and needs of their own class.

The Divan having for its sole mission the statement of desires, which shall be first examined by the Commission composed of the delegate of our Sublime Porte and of the delegates of the guaranteeing Powers, and then discussed between our Sublime Porte and its Allies, the propositions proposed by the special Committees shall be placed before the Commission as separate reports, together with the deliberations of the general assembly.

La présidence du Divan sera dévolue au métropolitain, assisté d'un vice-président nommé à la majorité des voix, en assemblée générale, parmi les boyards de première classe.

Les secrétaires, en nombre égal à celui des classes représentées, seront aussi nommés à la majorité des voix.

Chaque comité choisira dans son sein un président à la pluralité des suffrages.

Dans son désir d'accélérer le moment où la province sera en possession d'une organisation définitive, la Sublime-Porte attend du Divan qu'il aura terminé ses travaux dans le délai de six mois, et que, sachant se pénétrer du sentiment de ses devoirs de fidélité, il ne manquera pas de renfermer ses discussions dans les bornes convenables, et nous épargnera le déplaisir d'aviser aux moyens de protéger contre toute atteinte nos droits augustes de suzeraineté.

Le présent Firman est émané et expédié de mon Divan impérial pour faire connaître la décision dont il s'agit.

Toi, qui es le susdit caïmacam, tu mettras tes efforts et ton attention pour la pleine et entière exécution de ladite décision, et tu ajouteras foi et créance à mon chiffre impérial.

*Première décade de djémazil-akhir* 1273.

The presidency of the Divan shall be held by the Metropolitan, assisted by a vice-president elected by the general assembly by majority vote, from among the *boyards* of the first class.

The Secretaries, equal in number to the classes represented, shall also be elected by majority vote.

Each Committee shall choose a president by plurality from its own membership.

In its desire to hasten the moment when the province shall be in possession of a definitive organization, the Sublime Porte expects the Divan to end its labors within six months, and that, knowing it to be filled with the sentiment of its duty to loyalty, it will not refrain from confining its discussions to the proper limits, and we shall spare ourselves the trouble of advising as to the means of protecting our august and suzerain rights against any infringements.

The present Firman is issued and dispatched by my imperial Divan in order to make known the decision here given.

You, the Caimacam above mentioned, will devote your efforts and your attention to the full and complete execution of the said decision, and you shall give full faith and credence to my imperial seal.

*First decade of Djemazil-Akhir* 1273.

## *Manifesto of the Electoral Committee of Jassy. March* 10/22, 1857 [1]

Le Traité de Paris a stipulé que les populations des Principautés roumaines seraient consultées sur la réorganisation du gouvernement de leur patrie.

Le Firman de Sa Majesté Impériale le Sultan, qui convoque les assemblées spécialement appelées à exprimer les vœux du pays, vient d'être promulgué.

La Commission européenne, qui a pour tâche de recueillir ces vœux et de les soumettre au Congrès des grandes Puissances, vient d'arriver à Bucharest.

En ce moment plein de tant d'espérances, le devoir de tous les Roumains est de se réunir, de s'éclairer, de se mettre d'accord sur les principes qui doivent servir de base aux vœux à exprimer par le pays.

Animés de ce sentiment du devoir national, nous soussignés, après nous être entendus avec la majeure partie des adhérents à l'union des Principautés, nous sommes constitués en comité électoral pour la ville de Jassy.

Le but de notre réunion est de nous mettre en rapport étroit avec les électeurs qui partagent notre croyance politique, et de travailler, de concert avec eux, pour qu'aux prochaines élections le triomphe soit assuré au *grand vœu* qui prédomine dans les Principautés.

Le programme que nous nous en-

The Treaty of Paris stipulated that the populations of the Roumanian Principalities should be consulted regarding the reorganization of the government of their country.

The Firman of His Imperial Majesty the Sultan, which convokes the assemblies especially called to express the country's wishes, has just been promulgated.

The European Commission whose task it is to gather these votes and to submit them to the Congress of the great Powers, has just arrived at Bucharest.

At this moment so filled with hopes, the duty of all Roumanians is to unite, to inform themselves, to agree upon the principles which should form the basis of the desires to be expressed by the country.

Moved by this sentiment of national duty, we, the undersigned, after having come to an understanding with the majority of the adherents of a union of the Principalities, have constituted ourselves an electoral committee for the city of Jassy.

The object of our meeting is to place ourselves in close touch with the electors who share our political belief, and to work in concert with them so that at the approaching elections the triumph of the *great desire* which predominates in the Principalities may be assured.

The program which we undertake

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[1] *Arch. Dip.*, 1866, pt. 2, p. 61.

gageons à soutenir est fondé sur les principes mêmes du Traité de Paris, à savoir :

1° L'Union des Principautés en un seul État, sous le respect des droits de la Sublime-Porte, suivant l'esprit et la lettre de nos anciennes capitulations.

2° La Neutralité du territoire des Principautés.

3° Le respect des droits des Principautés et particulièrement de leur Autonomie, selon l'esprit et la lettre des mêmes traités.

4° L'Hérédité du Chef de L'Etat. (L'hospodarat a fait son temps : un régime européen doit lui succéder.)

5° Le pouvoir législatif confié à une seule Assemblée Générale, qui représente les intérêts de la nation tout entière.

6° La soumission des étrangers habitant les Principautés à toutes les lois du pays.

7° La reconnaissance du droit des Principautés de nouer des relations commerciales selon leurs propres intérêts.

8° Tout cela sous la garantie collective des Puissances signataires du Traité de Paris.

Le parti de l'Union est en même temps le parti du progrès.

Donc, nous désirons de tout notre cœur que, dans notre pays aussi, s'introduisent toutes les réformes qui nous mettent en état de civiliser notre société et de fortifier notre nation, réformes fondées sur les principes de la

to support is founded on the same principles as the Treaty of Paris, to wit :

1. Union of the Principalities into one State, with respect for the rights of the Sublime Porte, following the spirit and the letter of our ancient capitulations.

2. Neutrality of the territory of the Principalities.

3. Respect for the rights of the Principalities and particularly for their Autonomy, according to the spirit and the letter of the same treaties.

4. Heredity of the Head of the State. (The hospodariat has served its term : a European régime must succeed it.)

5. The legislative power confided to a single General Assembly, representing the interests of the whole nation.

6. The submission of foreigners living in the Principalities to all the laws of the country.

7. Recognition of the right of the Principalities to form commercial relations according to their own interests.

8. All this under the collective guarantee of the Powers signatory to the Treaty of Paris.

The party of Union is at the same time the party of progress.

Therefore, we desire with all our hearts, that in our country also, all the reforms may be introduced which will put us in a condition to civilize our society and to strengthen our nation, reforms founded upon the prin-justice, de l'égalité devant la loi et du respect de la propriété.

Toutefois, en nous fondant même sur l'article 22 du Traité de Paris, qui consacre la pleine et entière liberté de notre législation (l'autonomie), nous désirons que toutes les réformes qui doivent s'introduire dans l'organisation intérieure des Principautés se réalisent, non point au détriment, mais bien avec le respect et en vertu de notre autonomie.

Quelque précieuses et nécessaires que soient les réformes intérieures, nous mettons néanmoins au-dessus d'elles le droit que nous possédons de faire nous-mêmes nos propres lois dans notre pays.

ciples of justice, equality before the law and respect for property.

Nevertheless, while taking our stand upon Article 22 of the Treaty of Paris, which sanctions the full and complete liberty of our legislation (autonomy), we desire that all the reforms which must be introduced in the internal organization of the Principalities may be effected, not to the detriment of our automony, but rather with respect for it and by virtue of it.

However valuable and necessary internal reforms may be, we place above them, nevertheless, the right we possess of making our own laws for ourselves in our own country.

. . . . .

Afin de remplir religieusement ce saint devoir, déposons, tous, nos animosités personnelles, oublions les dissentiments intérieurs, conséquence fatale des malheurs qui pèsent depuis un siècle sur notre pays ; donnons-nous tous la main, en nous souvenant que Moldaves et Valaques ne sont point deux peuples différents ; que nous sommes tous les fils de la même mère ; que le même sang coule dans nos veines ; que le même avenir nous est réservé, avenir qui ne peut être heureux que si, le jour où l'Europe vient nous poser la grande question, elle nous trouve tous professant la même foi politique, tous animés de la même pensée pour le bien commun, et lui montrant, à elle, qui nous accorde toute la liberté dans l'émission de nos vœux, que d'une seule et même voix

That we may religiously fulfil this sacred duty, let us all drop our personal animosities, forget our internal dissensions, the fatal consequence of the misfortunes that have weighed upon our country for a century; let us all clasp hands, remembering that Moldavians and Wallachians are not two different peoples; that we are all sons of the same mother; that the same blood flows in our veins; that the same future is reserved for us, a future that can only be happy if, on the day when Europe comes to ask us the great question, she finds us all professing the same political faith, all animated by the same thought for the common good, and showing to her, who grants us entire liberty in the utterance of our wishes, that with one and the same voice we cry: Long nous crions: Vive la Roumaine unie et autonome!

(*Signé.*) Les membres du Comité électoral de l'Union pour la ville et le district de Jassy:

Stéphan Catargi — Pierre Mavrojeni — Costaki Rolla — Anatase Pano — Basile Malinesco — Georges Stourdza — Démètre Raletto — Costaki Hourmousaki — Démètre Cosadini.

*Jassy,* 10/22 *mars* 1857.

live Rumania united and autonomous!

(*Signed.*) Members of the electoral Committee of Union for the city and district of Jassy:

Stephen Catargi — Pierre Mavrojeni — Costaki Rolla — Anatase Pano — Basile Malinesco — Georges Stourdza — Démètre Raletto — Costaki Hourmousaki — Démètre Cosadini.

*Jassy,* 10/22 *March,* 1857.

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## *Extracts from Protocols Nos.* 1–6, 9, 11–14, 17, 19, 21, 22, 25 *and* 34 *of the European Commission on the Reorganization of Moldavia and Wallachia. May* 18 *to December* 28, 1857 [1]

### Protocolul No. 1. Sedinţa din 30 (18) Maiŭ 1857.

Présents:

Pour l'Autriche, M. Liehmann de Palmerodè, etc.

Pour la France, M. le Baron de Talleyrand, etc.

Pour la Grande Bretagne, Sir Henry Bulwer, etc.

Pour la Prusse, M. le Baron de Richthofen, etc.

Pour la Russie, M. de Basily, etc.

Pour la Sardaigne, M. le Chevalier Benzi, etc.

Pour la Turquie, Safvet Effendi, etc.

MM. les Plénipotentiaires de l'Autriche, de la France, de la Grande Bretagne, de la Prusse, de la Russie, de la Sardaigne et de la Turquie se

### Protocol No. 1. Session of May 18/30, 1857.

Present:

For Austria, M. Liehmann de Palmerode, etc.

For France, Baron de Talleyrand, etc.

For Great Britain, Sir Henry Bulwer, etc.

For Prussia, Baron de Richthofen, etc.

For Russia, M. de Basily, etc.

For Sardinia, Chevalier Benzi, etc.

For Turkey, Safvet Effendi, etc.

The Plenipotentiaries of Austria, France, Great Britain, Prussia, Russia, Sardinia and Turkey are to-day met in conference at the house of the sont réunis aujourd'hui en conférence chez le Commissaire britannique Sir Henry Bulwer, qui a pris la parole pour proposer de se constituer en Commission, selon la teneur de l'instruction annexée au protocole No. 22 du Congrès de Paris.[1]

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[1] *Acte si documente relative la istoria renascerei Romaniei. Sturdza & Colescu-Vartic,* vol. 6, pt. 2, p. 399 *et seq.*

Après avoir rempli les formalités requises, lecture a été donnée de la dite instruction.

Et à la question de Mr. le Commissaire britannique, si cette instruction doit être considérée comme complètement obligatoire pour tous, Messieurs les Commissaires ont répondu affirmativement, se désistant de tout droit de se prévaloir des instructions particulières à chacun d'eux, qui seraient en désaccord avec l'instruction générale du Congrès.

. . . . .

. . . La Commission adopte le mode de l'alternat pour l'exercice de la Présidence.

Tous les Commissaires prient Safvet Effendi d'accepter la Présidence, pour la première période, qui sera ultérieurement fixée; après quoi, décidera le sort entre les six membres restants, et ainsi de suite jusqu'à ce que tous aient exercé à tour de rôle la Présidence.

Le terme de la Présidence est fixé unanimement à un mois.

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### Protocolul No. 2. Sedința din 2 Iunie (21 Mai) 1857.

. . . . .

Dans la délibération à laquelle la

British Commissioner, Sir Henry Bulwer, who addressed the meeting with the proposal to constitute themselves as a Commission according to the tenor of the Instructions annexed to Protocol No. 22 of the Congress of Paris.

After having fulfilled all the required formalities, the said instructions were read.

To the question of the British Commissioner as to whether these instructions should be considered as absolutely obligatory for all, the Commissioners answered in the affirmative, refraining from claiming any right for each to take advantage of his own instructions, should they be in disagreement with the General Instructions of the Congress.

. . . . .

. . . The Commission adopts the method of the *alternat* in the exercise of the presidency.

All the Commissioners beg Safvet Effendi to accept the Presidency for the first period, to be fixed later; after which it shall be decided by lot among the six remaining members, and so on until all shall have exercised the functions of the presidency.

The terms of the presidency is unanimously fixed at one month.

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### Protocol No. 2. Session of May 21/June 2, 1857.

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In the deliberation to which the

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[1] See *supra*.

Commission procéde, Mr. *le Baron de Richthofen* appelle d'abord l'attention de ses collègues sur les affaires de Moldavie, en posant la question suivante :

" Les interprétations, qui seront données au Firman de convocation par une entente entre la Commission et le Gouvernement valaque, seront-elles également applicables à la Moldavie ? "

Mr. *le Commissaire de Prusse* " adresse cette question à la Commission, parce que, lors du séjour de quelques-uns de MM. les Commissaires à Jassy, il y eut entre eux quelque désaccord à cet égard."

Mr. *le Baron de Talleyrand* demande, " si Safvet Effendi a reçu de Constantinople une réponse aux observations faites par le Caïmacam de Valachie et par la Commission sur la manière de procéder à l'exécution du Firman."

Sir *Henry Bulwer* " propose d'etablir une distinction entre ces deux questions."

La Commission adhère.

On passe aux communications, que Safvet Effendi déclare avoir reçues de la Sublime Porte. Mr. *le Commissaire ottoman* produit une dépêche télégraphique en date du 31 Mai, dont suit le texte :

" Comme la Sublime Porte espère, qu'à l'heure qu'il est les doutes soulevés en Valachie ont été résolus par une entente confidentielle entre le Caïmacam et la Commission, vous êtes invité à porter à la connaissance du

Commission then proceeds, *Baron de Richthofen* first calls the attention of his colleagues to the affairs of Moldavia, by putting the following question :

" Shall the interpretations, given to the Firman of Convocation by agreement between the Commission and the Wallachian Government be equally applicable to Moldavia ? "

The *Prussian Commissioner* " addresses the question to the Commission because, at the time of the sojourn of some of the Commissioners at Jassy, there had been some disagreement on this point."

*Baron de Talleyrand* asks " whether Safvet Effendi has received an answer from Constantinople to the observation made by the Caimacam of Wallachia and by the Commission on the manner of procedure as to the execution of the Firman."

*Sir Henry Bulwer* " proposes to make a distinction between these two questions."

The Commission agrees.

Passing to the communications which Safvet Effendi announces that he has received from the Sublime Porte, the *Ottoman Commissioner* produces a telegraphic dispatch, dated May 31, of which the text is as follows :

" As the Sublime Porte hopes that at the present time the doubts raised in Wallachia have been settled by a confidential understanding between the Caïmacam and the Commission, you are invited to bring the terms

Caïmacam de Moldavie les termes de cette solution, afin que le Firman soit appliqué aussi exactement que possible, sauf les cas exceptionnels, qui seraient particuliers à la Moldavie.”

Mr. *de Basily* fait l'observation, “ que le texte de la dépêche prouve l'existence d'une dépêche antérieure relative au même sujet, dépêche dont la Commission n'a pas été prévenue.”

*Safvet Effendi* produit alors une seconde dépêche, en date du 1er Mai — No. 8 — dont également suit le texte:

“Comme la Commission européenne est d'accord au sujet des éclaircissements demandés sur certains points du Firman de convocation des Divans *ad hoc,* la Sublime Porte, de concert avec les Représentants des Puissances contractantes, réfère cette affaire à la Commission.”

Mr. *de Liehmann* fait remarquer, “ que d'après les renseignements qui, à cette époque,— 1er Mai,— lui étaient parvenus de Constantinople, une entente n'avait pas eu lieu.”

MM. *de Basily* et *de Richthofen* répliquent, “ que d'après les renseignements officiels, qui leur ont été adressés de Constantinople et dont les dates concordent entièrement avec celle de la dépêche du 1er Mai de Safvet Effendi, le droit d'interpréter le Firman est dévolu à la Commission.”

Mr. *le Commissaire d'Autriche* déclare, “que Mr. le Baron de Prokesch

of this solution to the knowledge of the Caïmacam of Moldavia, in order that the Firman may be applied with as much exactness as is possible, save for the exceptional cases which are peculiar to Moldavia.”

M. *de Basily* makes the observation “ that the text of the dispatch proves the existence of an earlier dispatch regarding the same subject, of which the commission has not been apprised.”

*Safvet Effendi* later produces a second dispatch, dated May 1 (No. 8), the text of which follows:

“ As the European Commission is in agreement on the subject of the explanation requested as to certain points of the Firman of Convocation of the Divans *ad hoc,* the Sublime Porte, in concert with the Representatives of the Contracting Powers, refers this affair to the Commission.”

M. *de Liehmann* draws attention to the fact that “ according to the information which at this time (May 1) had come from Constantinople, an agreement had not been reached.”

MM. *de Basily* and *de Richthofen* reply, “ that according to the official information, addressed to them from Constantinople, agreeing exactly as to dates with that of the dispatch of May 1 of Safvet Effendi, the right of interpreting the Firman has devolved upon the Commission.”

The *Austrian Commissioner* declares “ that Baron de Prokesch wrote lui écrit dans les termes les plus explicites, qu'à cette époque une entente n'avait pas encore eu lieu et que, par conséquent il — Mr. de Liehmann — n'aurait pas pu prendre part à une discussion sur l'interprétation du Firman."

La question ayant été adressée à Safvet Effendi par plusieurs Commissaires, de savoir pourquoi il n'a pas donné à la Commission connaissance de la dite dépêche en date du 1er Mai, Mr. *le Commissaire ottoman* répond, " qu'aussitôt aprés la réception de cette piéce, il avait demandé à Mr. de Liehmann, si celui-ci avait reçu de Constantinople des communications portant que le droit d'interpréter le Firman a été dévolu à la Commission, et que, par suite d'une réponse négative à Mr. le Commissaire d'Autriche, il n'a pas cru de son devoir de porter la dite dépêche à la connaissance de tous ses collègues, convaincu, comme il l'était, que MM. ses collègues ne voudraient pas y donner suite, tant qu'ils n'auraient pas reçu de la part de leurs Représentants des communications analogues."

MM. *les Commissaires de France, de la Grande Bretagne, de Prusse, de Russie et de Sardaigne* relèvent, " que la dépêche précitée en date du 1er Mai n'ayant été communiquée à la Commission que dans la présente séance, les Commissaires jusqu'à ce jour n'ont pas été à même de se prévaloir du droit, qui, d'après la teneur de ce document, leur a été conféré."

Sir *Henry Bulwer* demande à

to him in most explicit terms that at that time an agreement had not taken place and that in consequence — he — M. de Liehmann — would not have been able to take part in a discussion of the interpretation of the Firman."

The question having been put to Safvet Effendi by several Commissioners, as to why he has not given the said dispatch, dated May 1, to the Commission, the *Ottoman Commissioner* answers " that immediately on the receipt of this document, he asked M. de Liehmann if the latter had received from Constantinople any communication to the effect that the right of interpreting the Firman has devolved on the Commission, and that, on a negative answer from the Austrian Commissioner, he did not think it his duty to bring the said dispatch to the knowledge of his colleagues, convinced, as he was, that his colleagues would not wish to carry it out so long as they had not received corresponding communications from their Representatives."

*The Commissioners of France, Great Britain, Prussia, Russia, and Sardinia* hold " that the dispatch aforesaid, dated May 1, not having been communicated to the Commission until the present session, the Commissioners have not until now been able to avail themselves of the right which has been conferred on them, according to the tenor of this document.

Sir *Henry Bulwer* asks Safvet

Safvet Effendi, "si, considérant les renseignements qui lui sont parvenus de la part de la S. P., il peut déclarer que la Commission est autorisée à s'entendre confidentiellement avec le Caïmacam de Valachie sur les questions qui ont été référées à Constantinople."

Mr. *le Commissaire ottoman* ayant répondu affirmativement et Mr. *de Liehmann* ayant déclaré de son côté, "qu'il se trouvait, à l'heure qu'il est, muni de l'information nécessaire de Constantinople et, qu'en conséquence, il se croyait à présent en mesure de délibérer sur ce sujet," la Commission procède à l'examen des observations sur les difficultés survenues dans la mise à exécution du Firman de convocation, observations qui ont été présentées aux Commissaires par le Caïmacam de Valachie.

Sur la proposition de Sir Henry Bulwer, les *Commissaires* arrêtent d'inviter le Caïmacam de Valachie à communiquer d'abord à la Commission ses opinions précises sur la manière de résoudre les questions qui ont été soulevées par S. A., et l'on approuve qu'à cette fin la lettre suivante soit adressée au Chef du Gouvernement valaque:

"Les observations, que V. A. a bien voulu nous communiquer sur quelques difficultés dans la mise à exécution du Firman de convocation, ont été soumises à la S. P., ainsi qu'à MM. les Représentants des Puissances ga-

Effendi "whether, considering the information, which has been imparted to him by the Sublime Porte, he is able to declare that the Commission is authorized to come to a confidential agreement with the Caïmacam of Wallachia on the questions which have been referred to Constantinople?"

The *Ottoman Commissioner* having answered in the affirmative, and M. *de Liehmann* having, on his part, declared "that he found himself at the present time, furnished with the necessary information from Constantinople, and that in consequence, he believed himself to be able at present to deliberate on this subject", the Commission proceeds to the examination of the observations concerning the difficulties met with in the execution of the Firman of convocation, observations which had been presented to the Commissioners by the Caïmacam of Wallachia.

On the proposition of Sir Henry Bulwer, the Commissioners agree to invite the Caïmacam of Wallachia first to communicate to the Commission the precise opinions as to the manner of settling the questions which have been raised by His Highness and it is agreed that for this purpose the following letter be addressed to the Head of the Wallachian Government:

"The observations which Your Highness has been good enough to communicate to us as to certain difficulties in the execution of the Firman of Convocation, have been submitted to the Sublime Porte, as well rantes, conformément à l'avis unanime de MM. les Commissaires.

" Par suite d'un accord entre la S. P. et MM. les Représentants il a été résolu que ces questions doivent être référées à une entente confidentielle entre la Commission et V. A. Je viens donc vous prier, mon Prince, au nom de la Commission, de vouloir bien nous communiquer au plus tôt l'opinion précise de V. A. sur la manière de résoudre chacune des questions qui ont fait l'objet de Sa précédente communication, indépendamment des avis qui sont énoncés dans la dite communication.

"(Signé:) E. Safvet."

. . . . .

## Protocolul No. 3. Şedinţa din 3 Junie (22 Maiŭ) 1857.

. . . . .

La Commission, ainsi qu'elle l'avait résolu, passe à la discussion des affaires de Moldavie.

On pose d'abord la question sur la nature des rapports entre les Caïmacams et la Commission, et dans la discussion soulevée sur cet objet par Mr. de Liehmann, Sir Henry Bulwer a cru de son devoir de citer quelques explications, qui, à l'occasion de la dernière réunion des Ministres de la Porte avec les Représentants et les Commissaires, ont été échangées et qui étaient de nature à jeter de la lumière sur la position des Commissaires

as to the Representatives of the Guaranteeing Powers, in accordance with the unanimous opinion of the Commissioners."

" According to an agreement between the Sublime Porte and the Representatives, it has been resolved that this question shall be referred to a confidential agreement between the Commission and Your Highness. I accordingly beg of you, Prince, in the name of the Commission, to be good enough to communicate to us as soon as possible the precise opinion of Your Highness as to the manner of solving each of the questions which have been the subject of your former communication, independently of the opinion announced in the said communication.

" Signed: E. Safvet."

. . . . .

## Protocol No. 3—Session of May 22/June 3, 1857.

. . . . .

The Commission, according to the resolution it had taken, passed to the discussion of the affairs of Moldavia.

The first question put was that of the nature of the relations between the Caïmacams and the Commission, and during the discussion on this subject by M. de Liehmann, Sir Henry Bulwer thought it his duty to cite certain explanations which were exchanged on the occasion of the last meeting of the Ministers of the Porte with the Representatives and the Commissioners, which were of a nature such as to throw light on the

vis-à-vis des Gouvernements des Principautés. Tous les Commissaires qui ont assisté à cette séance ayant confirmé l'exactitude des citations faites par Sir Henry Bulwer, on tombe d'accord que, bien que les Caïmacams, sous le rapport de l'exécution du Firman, ne soient responsables que vis-à-vis de la Sublime Porte, la Commission se déclare compétente d'adresser, par l'organe de son Président, aux deux Caïmacams, soit verbalement soit par correspondance, des observations confidentielles ayant trait au susdit sujet. Il est entendu que, par ce procédé, la Commission ne prétend exercer aucun acte d'autorité, mais seulement un pouvoir moral, qui prend la forme de conseil ou d'avis. De plus, il est indispensable que la rédaction des lettres, que la Commission adressera à cet égard aux Caïmacams, soit préalablement adoptée par tous les Commissaires.

Mr. *de Liehmann* demande " s'il est convenu que les Caïmacams ne sont pas obligés à suivre les avis de la Commission."

Les autres Commissaires ayant répondu, que les phrases précédentes expriment que la Commission ne prétend exercer aucun acte d'autorité, MM. les Commissaires sont unanimes à penser que les Caïmacams sont libres de suivre ou non les avis ou les conseils que la Commission leur adressera, mais qu'ils resteront toujours sous la responsabilité de ne pas avoir tenu compte de l'opinion de la Commission.

. . . . . .

position of the Commissioners regarding the Governments of the Principalities. All the Commissioners who were present at this meeting, having confirmed the accuracy of the citations made by Sir Henry Bulwer, it was agreed that, although the Caïmacams were responsible only to the Sublime Porte, regarding the execution of the Firman, the Commission declares itself competent to send confidential observations concerning the subject aforesaid, either verbally or in writing, through its President to the two Caïmacams. It is understood that by this procedure the Commission makes no pretence to the exercise of any act of authority but only moral force in the form of counsel or advice. Moreover, it is indispensable that the text of the letters which the Commission shall address on this subject to the Caïmacams should be previously adopted by all the Commissioners.

M. *de Liehmann* asks " whether it is agreed that the Caïmacams are not obliged to follow the advice of the Commission? "

The other Commissioners having answered that the preceding phrases state that the Commission makes no pretense of exercising any act of authority, the Commissioners are unanimous in thinking that the Caïmacams are free to follow or not the advice or counsel addressed to them by the Commission, but that they will always be responsible for not having taken account of the opinion of the Commission.

. . . . . .

Mr. *de Basily* croit de son devoir d'observer, “ que la situation de la Moldavie est celle-ci : Il y a dans le pays deux partis, l'un pour l'Union, l'autre contre l'Union des deux Principautés. Le Gouvernement intérimaire de Moldavie s'est mis ouvertement à la tête de ce dernier parti et veut, par tous les moyens en son pouvoir, influencer les prochaines élections dans ce sens. Il veut hâter les élections, pour se soustraire à tout contrôle. Le Divan, qui aurait été convoqué sous de tels auspices, ne serait pas l'expression des vœux du pays, mais l'instrument de l'autorité qui le convoque. L'attitude, le langage et les procédés du Prince Vogoridès sont diamétralement opposés à l'article 24 du Traite du 30 Mars, à l'esprit qui a présidé aux protocoles du Congrès de Paris et au sens du Firman de convocation. M. le Commissaire de Russie les considère comme attentatoires aux droits, que le Congrès a garantis à la nation moldave, et, en conséquence, M. de Basily déclare, qu'à son avis, il ne serait pas conforme à la dignité du Congrès, dont la Commission émane, d'avoir à traiter avec un Divan qui aurait été convoqué sous de tels aupices.

Mr. *le Baron de Talleyrand* “ adhère complètement à la déclaration de Mr. de Basily et ajoute, qu'il ne saurait avoir aucune confiance dans le Gouvernement actuel de Moldavie. Des faits récents de partialité évidente, les destitutions systématiques, les promotions illégales faites en vue

M. *de Basily* believes it his duty to observe “ that the situation of Moldavia is this : There are in the country two parties, one for and one against the union of the two principalities. The Government *ad interim* of Moldavia has openly put itself at the head of this latter party and wishes to influence the coming elections to that end by all the means in its power. It wishes to hasten the elections in order to liberate itself from all control. The Divan, convoked under such auspices, would not be the expression of the country that you desire, but the instrument of the authority which convoked it. The attitude, language and proceedings of Prince Vogorides are diametrically opposed to Article 24 of the Treaty of March 30th, to the spirit which has animated the protocols of the Congress of Paris and to the sense of the firman of convocation. The Russian Commissioner considers them as infringing on the rights which the Congress has guaranteed to the Moldavian nation and in consequence, M. de Basily declares that, in his opinion, it would not conform with the dignity of the Congress from which the Commission emanates, to treat with a Divan which had been convoked under such auspices.”

*Baron de Talleyrand* “ adheres absolutely to the declaration of M. de Basily and adds, that he can have no confidence in the present Government of Moldavia. The recent acts of evident partiality, systematic dismissals, illegal promotions, made in view of the elections, both in the militia

des élections dans la milice et dans la boyarie, les déclarations renouvelées du Caïmacam prouvent suffisamment à Mr. le Commissaire de France, qu'il y a parti pris de ne rien changer à un système déloyal, qui ne tend, depuis le premier jour de son existence, qu'à fausser la représentation nationale."

Mr. *le Baron de Richthofen* "adhère de son côté, aux déclarations de MM. de Basily et de Talleyrand. Il ajoute encore que, lorsqu'il a parlé au Caïmacam de Moldavie de son penchant pour le parti anti-unioniste, le Prince Vogoridès a justifié sa conduite, en alléguant que, pour rétablir l'équilibre, il devait contrebalancer l'influence de la France et en relevant que, comme il en a reçu l'avis le plus précis, la Turquie, l'Autriche et l'Angleterre sont décidées à combattre l'Union. Le Caïmacam, soutient Mr. de Richthofen, croit de son devoir de préserver le pays des dangers pouvant résulter d'une agitation qu'il considère comme d'autant plus fâcheuse que le but que l'on s'efforce d'atteindre — attendu qu'il est condamné d'avance — lui paraît irréalisable. . . . Le Baron de Richthofen, sans vouloir entrer dans la discussion de savoir si le Caïmacam est dans le vrai ou non, croit que, l'état des choses étant tel qu'il est, on n'arrivera pas à une expression libre des vœux des populations relativement à l'organisation future des Principautés.

Mr. *le Commissaire de Sardaigne* "adhère complètement aux déclarations faites par MM. les Commissaires de Russie, de France et de Prusse et

and in the boyard class, and the repeated declarations of the Caïmacam prove sufficiently to the French Commissioner that there has been from the first day of its existence a determination to make no change in a disloyal system which does not tend to falsify the national representation."

*Baron de Richthofen* "adheres for his part to the declaration of Messrs. de Basily and de Talleyrand. He adds further that when he spoke to the Caïmacam of Moldavia of his predilection for the anti-unionist party, Prince Vogorides justified his conduct by alleging that, in order to establish equilibrium, it was necessary to counterbalance the influence of France and by setting forth that, as he had been most credibly informed, Turkey, Austria and England have decided to oppose the union. The Caïmacam, M. de Richthofen maintains, believes it his duty to preserve the country from the dangers which might result from an agitation which he considers the more deplorable as the end sought — inasmuch as it is condemned in advance — appears to him unrealisible. . . . Baron de Richthofen, without wishing to enter into discussion as to whether the Caïmacam is in the right or not, believes that as affairs are in this condition, a free expression of the wish of the people regarding the future organization of the Principalities cannot be obtained.

The *Commissioner of Sardinia* "adheres absolutely to the declaration made by the Commissioners of Russia, of France and of Prussia and

il expose que, par suite de ce qu'il a vu et constaté personnellement sur le système d'intimidation et d'illégalité suivi par l'administration moldave relativement aux élections et sur la pression et l'action exercées par les Agents de certaines Puissances sur le Caïmacam et sur son Gouvernement, il a également la ferme conviction qu'il ne serait pas conforme à la dignité des Puissances représentées dans la Commission d'avoir à traiter avec un Divan convoqué sous de tels auspices."

Vu l'heure avancée, la discussion ultérieure sur ce sujet est renvoyée à la prochaine séance.

(Suivent les signatures des Commissaires.)

### Protocolul No. 4. Ședința din 7 Junie (26 Maiŭ) 1857.

. . . . .

La Commission reprend la discussion sur les affaires de Moldavie.

*Sir Henry Bulwer,* "ayant écouté avec attention les déclarations des autres Commissaires, se voit dans la nécessité de déclarer qu'il trouve que, dans l'intérêt de la Commission, aussi bien que dans celui des Principautés, on ne devrait pas se faire un jugement trop prompt, ni exprimer une critique trop sévère.

"Des passions égoistes, tant à Bucarest qu'à Jassy, s'efforcent dans ce moment à faire prévaloir leurs intérêts privés ou à satisfaire leurs vengeances particulières par le moyen de la Commission. Sir Henry Bulwer a été à même de constater, que des faits

states that, in consequence of what he has seen and witnessed personally as to the system of intimidaiton and illegality pursued by the Moldavian administration regarding the election, and the pressure exercised by the Agents of certain Powers on the Caïmacam and on his Government, he is likewise of the firm conviction that it would not accord with the dignity of the Powers represented on the Commission to treat with a Divan convoked under such auspices."

In view of the lateness of the hour, further discussion on the subject is postponed to the next session.

(The signatures of the Commissioners follow.)

### Protocol No. 4. Session of May 26/June 7, 1857.

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The Commission resumes the discussion of the affairs of Moldavia.

*Sir Henry Bulwer* "having listened with attention to the declarations of the other Commissioners, feels himself under the necessity of declaring that he finds that in the interests of the Commission as well as in that of the Principalities, one should not form too prompt a judgment, nor express too severe a criticism.

"Egotistic passions as much at Bucharest as at Jassy cause them at this time to advance their private interests or to satisfy their personal jealousies by means of the Commission. Sir Henry Bulwer is able himself to maintain that facts recited in this re-

racontés à l'égard de quelques-uns de ses propres collègues, de la manière la plus précise et avec toute l'apparence de l'authenticité, étaient entièrement dénués de fondement. Comment ne pas croire que de pareilles histoires sont inventées par des individus et des partis rivaux les uns contre les autres? Ainsi, croire sans réserve à ce qu'on nous raconte dans ce pays, ce serait arriver d'avance à la conclusion que tous les individus un peu marquants, que tous les partis qui se disputent le pouvoir, sont incapables, malhonnêtes, rompus dans tous les artifices, accoutumés à toutes les fraudes qui rendent les hommes indignes des Assemblées législatives et des fonctions publique. . . . Or, pourrait-on mettre la main sur la conscience et déclarer que, soit tous ces Gouvernements, soit tous leurs Agents, aient été parfaitement impartiaux? Et si non, devraient-ils, eux, les Commissaires, se prononcer sans quelques ménagements à l'égard des Caïmacams, soit de Moldavie soit de Valachie, dans le cas où ceux-ci n'auraient pas fait preuve de toute l'impartialité désirable? Sir Henry Bulwer pense, en outre, que tout en faisant une juste attention à ce que les Divans soient régulièrement élus, on exagère un peu le rôle des dits Divans, et, par là, la portée même de la question en litige. Que sont en effet les Divans? Loin d'être des juges qui doivent tout décider, ils ne sont pour les Commissaires que des témoins amenés sur la scène afin d'éclairer la Commission. Et comment doit-on

gard by some of his colleagues, in the most precise manner and with all the appearance of authenticity, were entirely without foundation. How can one refrain from a belief that such stories are invented by rival individuals and parties, the one against the other? To believe without reservation everything told you in this country, would be to arrive in advance at a conclusion that every individual a little conspicuous, every party disputing for power, is incapable, dishonest, accustomed to every artifice, and to every fraud which render men unworthy of legislative assemblies and public functions. . . . But could one put one's hand on one's conscience and declare, that either all the Governments or all their agents had been perfectly impartial? And if not, ought they, the Commissioners, to pronounce without any caution, with regard to the Caïmacams, either of Moldavia or of Wallachia, in a case where these had not given proof of all the impartiality desired? Sir Henry Bulwer believes, moreover, that while taking proper care that the Divan should be regularly elected, the part of these Divans is a little exaggerated, and thus also the extent, even, of the question at issue. What in fact are the Divans? Far from being judges who should decide all questions, they are only witnesses brought on the scene for the sake of the Commissioners, in order to enlighten the Commission. And how should one always weigh evidence? According

apprécier tout témoignage? Selon sa réalité, selon sa valeur intrinsèque. Des Divans conduits par la volonté seule de la Porte, des Divans égarés par des influences étrangères, perdront cette autorité morale, qui est le seul guide des consciences. Ce serait un malheur, un malheur qu'on devrait chercher sans doute de prévenir, mais un malheur dont l'étendue est limitée par sa cause même. La Commission donc n'a pas besoin de trop se presser ni trop s'inquiéter. Qu'elle repousse des insinuations vagues. . . . Qu'elle tolère de certains abus, inséparable de la situation; qu'elle cherche les moyens les plus pratiques, afin de faire cesser d'autres abus plus criants. Qu'elle ne désespère enfin de rien, quand même ses efforts bien intentionnés ne réussissent pas; car on n'est qu'au commencement d'un grand travail, et tout n'est pas perdu avant que tout ne soit fini. Sir H. Bulwer termine ses observations, en disant que, si la Commission voulait savoir son opinion franche et sans réserve sur le Gouvernement de la Moldavie, il ne croit pas ce Gouvernement aussi blâmable qu'on le représente; mais il ne le croit pas tout-à-fait sans blâme. Le Prince Vogoridès lui paraît avoir commis la même erreur dans laquelle quelques-uns des Commissaires sont un peu disposés à tomber dans le moment actuel. Ce Prince s'est laissé peut-etre trop facilement effrayer par certaines circonstances, comme on peut maintenant s'effrayer trop facilement par d'autres. Il ne faut pas attendre que tout à coup un âge d'or puisse arriver

to its truth, according to its intrinsic value. Divans conducted solely according to the will of the Porte, Divans led astray by foreign influences would lose this moral authority, which is the sole guide of conscience. This would be a misfortune, a misfortune which one should doubtless seek to prevent but a misfortune whose extent is limited by its cause. The Commission need not make too much haste nor be too much concerned. Let it reject vague insinuations. . . . Let it tolerate certain abuses, inseparable from the situation; let it seek the most practical means, in order to put an end to the more flagrant abuses. Finally let them despair of nothing, even if their well intentioned efforts should not succeed; for they are only at the beginning of a great work and not all is lost till all is over. Sir Henry Bulwer ends his observations by saying that, if the Commission desires to know his frank and unreserved opinion on the Government of Moldavia, he does not think this Government as blameable as it is represented; but neither does he consider it wholly blameless. Prince Vogorides appears to him to have committed the same error that several of the Commissioners are a little disposed to fall into at the present moment. This Prince has perhaps allowed himself to be too easily dismayed by certain circumstances, just as now they themselves are being too easily dismayed by others. One should not expect that a golden age could come into existence all at once

dans les Principautés et qu'un pays, quit a toujours été travaillé par des partis, cesse soudainement de l'être. Il y a des partis en Valachie, il y en a en Moldavie. Le Caïmacam de ce dernier pays, selon ses propres paroles, a cru voir une combinaison formidable entre un parti qui est opposé au sien et une grande Puissance étrangère. Il a reçu des informations. Il a peut-être exagéré la nature des faits et s'est cru justifié de se servir jusqu'à l'extrême, pour sa propre défense et celle de ses amis et de la Sublime Porte, de tous les pouvoirs légitimes que sa position lui accorde. . . ."

Après avoir écouté les réflections de Mr. le Commissaire brittanique, Mr. *le Baron de Talleyrand* dit, ". . . Je suis d'autant plus fondé, a blâmer hautement le Caïmacam de Moldavie, que j'ai reçu à plusieurs reprises de Safvet Effendi les assurances les plus positives, qu'aucun ordre, aucun avis secret de la S. P. n'avait jamais encouragé le Prince Vogoridès à sortir de la ligne de conduite impartiale recommandée par le Congrès de Paris. La responsabilité des actes du Caïmacam lui appartient donc tout entière."

Ensuite on tombe d'accord sur la rédaction de la lettre, qui sera adressée au Chef du Gouvernement moldave et qui se trouve annexée au présent protocole.

En discutant la teneur de la lettre annexée, la Commission est unanime à reconnaître que les listes électorales en Moldavie ne peuvent être considé-

in the Principalities and that a country which has always been rent by parties, should suddenly cease to be so. There are parties in Wallachia, there are parties in Moldavia. The Caïmacam of this latter country, according to his own words, has expected to see a formidable combination between a party opposed to him and a great foreign Power. He has received information. He has perhaps exaggerated the nature of the facts and has thought himself justified in making use to the limit of the legitimate powers his position affords him for his own defence and the defence of his friends and of the Sublime Porte."

After listening to the reflections of the British Commissioner, *Baron de Talleyrand* says: ". . . I am the more inclined seriously to blame the Caïmacam of Moldavia, as I have received repeatedly from Safvet Effendi the most positive assurances that no order, no secret opinion of the Sublime Porte had ever encouraged Prince Vogorides to depart from the impartial line of conduct recommended by the Congress of Paris. The responsibility for the acts of the Caïmacam rests entire on himself."

Whereupon the text of the letter is agreed on which is to be addressed to the Head of the Moldavian Government and which is annexed to the present protocol.

In discussing the meaning of the letter annexed, the Commission is unanimous in recognizing that the electorial lists in Moldavia can only rées comme valablement dressées, qu'après que le résultat de l'entente, dont parle la dite lettre, aura été communiqué au Prince Vogoridès, et, qu'en conséquence, il sera du devoir de ce dernier de ne compter le terme des 30 jours accordés par le Firman aux réclamations, que du moment où les listes rectifiées seront publiées."

. . . . .

Adresa câtre Caïmacamul Principatuluî Moldoveî.

Par suite d'une délibération qui vient d'avoir lieu dans le sein de la Commission internationale, dont j'ai eu l'honneur de vous annoncer par ma précédente dépêche la constitution définitive, je m'empresse de vous faire part de l'ordre qui m'a été adressé par la S. P. à la date du 31 Mai — No. 8.— pour votre gouverne.

Quant au résultat de l'entente entre la Commission et la Caïmacam de Valachie au sujet des doutes soulevés dans l'application du Firman, je ne manquerai pas de vous en faire part sous peu. Si cette entente n'a pas pu s'effectuer jusqu'ici, c'est que la Commission n'a reçu que tout récemment les pouvoirs nécessaires pour y procéder.

A la même date, le Caïmacam de Valachie a reçu l'ordre de la S. P. de veiller à la stricte et loyale exécution du Firman de Convocation. La Commission a lieu de croire que V. E. aura

be considered as compiled in a valid manner after the results of the agreement, referred to in the said letter, shall have been communicated to Prince Vogorides, and, in consequence, it shall be the duty of the latter to count the term of 30 days accorded by the Firman for protests, as beginning only from the moment when the lists shall have been published."

. . . . .

Address to the Prince Caïmacam of Moldavia.

In consequence of a deliberation which has just taken place within the Commisssion, whose final constitution I had the honor to announce to you in my preceding dispatch, I make haste to inform you of the order which has been addressed to me by the Sublime Porte on May 31 (No. 8) for your governance.

As for the results of the understanding between the Commission and the Caïmacam of Wallachia on the subject of the doubts raised in the application of the Firman, I shall not fail to inform you of it shortly. If this understanding has not been possible to arrive at, it is because the Commission has only recently received the necessary power for proceeding with it.

On the same date the Caïmacam of Wallachia received orders from the Sublime Porte to give strict and loyal care to the execution of the Firman of Convocation. The Commission is in reçu le même ordre pour sa gouverne.

(Signé:) E. SAFVET.
Bucharest, le 6 Juin 1857.

Protocolul No. 5. Şedinţa din 8 Junie (27 Maiŭ) 1857.

. . . . .

Mr. *le Commissaire de Turquie* s'énonce de la manière suivante:

"D'après l'esprit du Traité de Paris et la teneur des protocoles, aucune influence ne devait être exercée ni en faveur ni contre une opinion.

"La population des deux Principautés de Valachie et de Moldavie devait être laissée à elle-même, pour exprimer spontanément des vœux sur l'organisation du pays. A son arrivée à Bucarest, Safvet Effendi a trouvé un parti organisé, s'arrogeant le droit de diriger les esprits dans un sens exclusif, et des comités établis pour favoriser par tous les moyens possibles la propagation des idées de l'Union des deux Principautés.

"Quant au parti conservateur, celui-ci, sous le coup de l'impression des évènements qui se passèrent en 1848 et voyant se déployer les mêmes éléments et à la tête du mouvement les mêmes individus qui ont amené cet état de choses, . . . Mr. le Commissaire ottoman l'a trouvé dans une inaction complète. . . .

". . . Le parti de l'Union, encouragé d'un côté par les dispositions manifestes de quelques grandes Puissances de l'Europe en faveur de son

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a position to believe that your Excellency has received the same order for your governance.

(Signed:) E. SAFVET.
Bucharest, June 6, 1857.

Protocol No. 5. Session of May 27/June 8, 1857.

. . . . .

The *Turkish Commissioner* gives his opinion as follows: "According to the spirit of the Treaty of Paris and the tenor of the protocols, no influence shall be exercised either for or against an opinion.

"The people of the two Principalities of Wallachia and of Moldavia should be left to themselves, in order to give spontaneous expression of their wishes as to the organization of the country. On his arrival at Bucharest, Safvet Effendi found a party organized, claiming the right to direct opinion in an exclusive sense and committees established to favor in every way possible the preparation of the idea of the union of the two Principalities.

"As for the Conservative Party, the Ottoman Commission has found it absolutely inactive . . ., under the strength of the impression of the events of 1848 and seeing the same elements in play and the same individuals at the head of the movement, who had directed matters on former occasions. . . .

". . . The Union Party, encouraged on the one hand by the manifest dispositions of several great powers of Europe in favor of its opinion et s'appuyant de l'autre sur la sympathie de la presse européenne, exerce une influence considérable sur les esprits et en impose au parti contraire. . . .”

. . . . .

Mr. *le Commissaire de l'Autriche* “ partage et appuie l'opinion de Safvet Effendi, en alléguant qu'il s'est trouvé en Moldavie simultanément avec MM. ses collègues de France, de Prusse et de Sardaigne, et bien que pendant ce temps il ait été en relations avec un très grand nombre d'habitants de ce pays et de toutes les classes, il peut cependant dire en conscience qu'aucune plainte ne lui est parvenue contre le Gouvernement moldave. . . .

“ Mr. le Commissaire d'Autriche croit, par conséquent, ne pouvoir nullement s'associer à l'avis de MM. ses collègues de France, de Prusse, de Russie et de Sardaigne, qu'un Divan, pour lequel les élections se feraient sous les auspices du Gouvernement actuel de Moldavie, n'offrirait pas les garantis requises pour remplir le but de son institution.”

La discussion sur les affaires de Moldavie étant terminée, Mr. *de Basily* “ demande l'urgence pour l'admission par la Commission d'une adresse du Métropolitain de Moldavie relative aux élections.”

Mr. *de Liehmann* “ s'oppose à cette demande.”

*Sir Henry Bulwer* demande, “ que la Commission s'occupe avant tout de la réponse du Caïmacam de Valachie, dont Safvet Effendi, au commencement de la séance, a annoncé la récep-

opinion, and relying, on the other, on the sympathy of the European press, exercises a considerable influence on opinion and imposes it on the opposite party. . . .”

. . . . .

The *Austrian Commissioner* shares and supports the opinion of Safvet Effendi, stating that he was in Moldavia at the same time as his colleagues of France, Prussia and Sardinia, and although during that time he was in touch with a great number of inhabitants of the country of all classes, he could nevertheless conscientiously say that no complaint against the Moldavian Government had reached him. . . .

“ The Austrian Commissioner believes, consequently, that he can not agree with the opinion of his colleagues of France, Russia, Prussia and Sardinia, that a Divan, for which elections were held under the auspices of the present Government of Moldavia, would not offer the guarantees requisite for fulfilling the object of its institution.”

The discussion on the affairs of Moldavia being ended, M. *de Basily* “ requests immediate consideration of the admission by the Commission of an address of the Metropolitan of Moldavia regarding the elections.”

M. *de Liehmann* “ is opposed to the request.”

*Sir Henry Bulwer* requests, “ that the Commission first take up for consideration the answer of the Caïmacam of Wallachia, of which Safvet Effendi annnounces the receipt tion. Le Commissaire britannique allègue, que le pays attend impatiemment la clôture et la publication des listes électorales."

*Safvet Effendi* " se range de l'avis de Sir H. Bulwer."

Après d'autres observations faites par tous les Commissaires, on décide, sur la demande de Mr. de Liehmann, de discuter d'abord le principe concernant la non-admission des pétitions, plaintes ou réclamations par la Commission, que Mr. le Commissaire d'Autriche a mis en avant dans la dernière séance.

Mr. *de Liehmann* expose " Qu'en admettant des pétitions, plaintes ou réclamations, la Commission changerait entièrement son caractère primitif et se transformerait, en opposition manifeste aux dispositions du Traité de Paris et de l'instruction du Congrès, qui lui interdit de la manière la plus explicite tout acte d'autorité ou d'ingérence, en une espèce de tribunal. . . .

*Safvet Effendi* " partage l'opinion de Mr. le Commissaire d'Autriche."

. . . . .

Mr. *de Talleyrand* fait remarquer, " que, d'après le sens et l'esprit du Traité de Paris, le public avait tout lieu de supposer qu'il avait le droit de s'adresser à la Commission. Comment connaîtrions-nous, demande-t-il, les abus de l'état de choses actuel, si nous n'écoutions pas ceux qui en souffrent . . . ?"

at the beginning of the session. The British Commissioner alleges that the country is impatiently awaiting the closing and the publication of the electoral lists."

*Safvet Effendi* " partakes of the opinon of Sir H. Bulwer."

After other observations had been made by all the Commissioners, it was decided, on the request of M. de Liehmann, to discuss first the principle regarding the non-admission by the Commission of petitions, complaints or claims, a principle which the Austrian Commissioner had brought forward in the last session.

M. *de Liehmann* states " that in admitting petitions, complaints and claims, the Commission would completely change its original character and would completely transform itself, in a manner manifestly contrary to the dispositions of the Treaty of Paris, and to the instructions of the Congress, which forbade it in the most explicit manner to exercise any act of authority or of interference or any action of a judicial nature. . . .

*Safvet Effendi* " shares the opinion of the Austrian Commissioner."

. . . . .

M. *de Talleyrand* remarks " that according to the meaning and the spirit of the Treaty of Paris, the public had good reason to suppose that it had the right to address the Commission. How, he asked, should we be aware of the abuses of the present state of affairs, if you did not listen to those who are suffering under them . . . ?"

*Sir Henry Bulwer* propose "que l'on accepte des papiers, quel qu'en soit le titre, lesquels la Commission juge propres à l'éclairer sur l'état du pays, pourvu qu'on informe les personnes qui communiquent ces papiers, qu'ils ne sont reçus qu'à titre d'information et que la Commission ne peut exercer aucun acte d'autorité ou d'ingérence en contradiction formelle avec le but de sa mission."

*Sir Henry Bulwer* proposes "that those papers be accepted, whatever their title, which the Commission considers of a nature to enlighten it as to the state of the country, provided that the persons, who transmit these papers, are informed that they are received only as information and that the Commission can exercise no act of authority or of interference in formal contradiction with the object of its mission." . . .

. . . . .

*Les Commissaires de France, de Prusse, de Russie et de Sardaigne* "se prononcent pour la proposition de Sir Henry Bulwer. Ils n'entendent admettre que des papiers, qui auraient été jugés propres à éclairer les Commissaires. Il n'y a nulle question d'ériger la Commission en tribunal, de vérifier, de constater et de redresser des griefs quelconques; autrement, demande Mr. de Basily, comment la Commission entend-elle s'éclairer? Ne serait-ce que pour apprécier les circonstances, dans lesquelles elle croirait devoir exercer la censure, comme le principe en a été unanimement admis par la Commission?"

*The Commissioners of France, Prussia, Russia and Sardinia* "pronounce in favor of the proposition of Sir Henry Bulwer. They agree to admit only those papers considered to be of a nature to enlighten the Commissioners. There is no question of erecting the Commission into a tribunal, nor of verifying, establishing and redressing any grievance whatever; otherwise, asks M. de Basily, how does the Commission intend to gain enlightment? Would it not remain only to consider the circumstances under which it should exercise censure, as the principle had been unanimously admitted by the Commission?"

. . . . .

Pour mieux préciser la manière dont on se propose de procéder à l'égard des papiers qui seront adressés à la Commission, on tombe d'accord, c'est-à-dire Mr. Liehmann et Safvet Effendi sous la réserve précitée, sur la formule ci-annexée d'accuser réception.

The better to define the form of procedure proposed with reference to those papers which may be addressed to the Convention, it was agreed to acknowledge their receipt by means of the formula here annexed, M. de Liehmann and Safvet Effendi making the reservation above referred to.

. . . . .

*Anexă.*

Formula respunsuluĭ către petiționarĭ.

Monsieur,

" J'ai reçu le document, que vous venez de m'adresser ; mais ce papier n'est reçu par moi qu'à titre d'information, puisque la Commission, tout en désirant s'entourer de tout ce qui peut éclairer son jugement sur l'état du pays, doit se prémunir contre tout acte d'autorité ou d'ingérence, en contradiction formelle avec le but de sa mission et son caractère consultatif."

Protocolul No. 6. Ședințele din 11 Junie (30 Maiŭ). 13 (1), 15 (3), 16 (4) și 17 (5) Junie 1857.

Ensuite lecture est donné de la lettre et de son annexe (No. 9) que le Caïmacam de Valachie a adressées à la Commission et que Safvet Effendi lui a soumises dans la dernière séance.

. . . . .

Sur la proposition de Mr. de Liehmann, la Commission, jugeant à propos de se procurer les éclaircissements désirables sur certaines questions, décide de prier le Président d'inviter MM. Arsaki et Georges Ghica à se présenter à la Commission dans la séance du 13 (1) Juin.

Lesdits Messieurs ayant fourni des renseignements, la Commission a consacré les séances du 13 (1), 15 (3), 16 (4) et 17 (5) Juin à l'examen et à la discussion détaillés de chacune des propositions du Caïmacam de Vala-

*Annex.*

Form of Answer to Petitioners.

Sir,

" I have received the document which you have addressed to me, but I received this paper only as information since the Commission, desiring to surround itself with all that could enlighten its judgment as to the state of the country, must protect itself against all acts of authority or of interference which are in formal contradiction with the object of its mission and of its consultative character."

Protocol No. 6. Sessions of May 30/June 11, June 1/13; 3/15, 4/16, and 5/17, 1857.

The letter and annex (No. 9) addressed by the Caïmacam of Wallachia to the Commission and submitted by Safvet Effendi at the last session was then read. . . .

. . . . .

On the proposition of M. de Liehmann, the Commission, judging it to the point to procure explanations as to certain questions, decides to request the President to invite MM. Arsaki and Georges Ghica to present themselves to the Commission at the Session of June 1/13.

The said gentlemen having given the information, the Commission devoted the sessions of the 1/13, 3/15, 4/16, 5/17 of June to the examination and detailed discussion of each of the propositions of the Caïmacam of

chie. Le résultat de ce travail se trouve consigné dans les contre-observations annexées sous forme de mémoire et destinées à être communiquées aux deux Caïmacams.

Avant que la séance du 17 Juin soit levée, Mr. *le Baron de Richthofen* soumet à la Commission les numéros 1 et 2 du *Bulletin officiel de Moldavie* en date du 30 et 31 Mai (v.s.) — Nos. 10 et 11 — et fait remarquer, " qu'il résulte de l'une et de l'autre de ces deux pièces que le Caïmacam de Moldavie a officiellement publié la liste électorale du clergé et celle des grands propriétaires. Mr. le Commissaire de Prusse constate ainsi, que le Prince Vogoridès a procédé aux opérations électorales, sans avoir attendu la solution des doutes soulevés par le Caïmacam de Valachie sur l'interprétation du Firman de convocation, . . .

### Protocolul No. 9. Ședințele din 2 Julie (20 Junie) si 3 Julie (21 Junie) 1857.[1]

Mr. le Baron de Richthofen, de son côté, soumet à la Commission une réclamation de Mr. Răducan Rosetti contre son exclusion des listes électorales. (No. 21.)

Ensuite, Mr. *de Basily* réclame pour la 3-ème fois, et de nouveau à titre de simple information, d'urgence, la lecture d'une adresse envoyée à la Commission par le Métropolitain de Moldavie. " C'est à la conférence du 8 Juin (27 Mai), dit Mr. le Commis-

Wallachia. The result of this work will be found embodied in the counter observations annexed in the form of a memoir and intended to be communicated to the two Caïmacams.

Before the session of June 17th was closed, *Baron de Richthofen* presented to the Commission numbers 1 and 2 of the *Bulletin Officiel de Moldavie,* dated May 30 and 31 (o. s.)— Nos. 10 and 11 — and pointed out " that it results from each of these two documents that the Caïmacam of Moldavia has officially published the electoral list of the clergy and that of the large proprietors. The Prussian Commissioner, therefore, maintains that Prince Vogorides has proceeded with the electoral operations, without having awaited the solution of the questions raised by the Caïmacam of Wallachia as to the interpretation of the **Firman of Convocation, . . .**

### Protocol No. 9. Session of June 20/July 2, and June 21/July 3, 1857.

Baron de Richthofen, on his part, submits to the Commission a protest of Mr. Raducan Rosetti against his exclusion from the electorial lists. (No. 21)

Thereupon, M. *de Basily* urges for the third time, and again under the head of simple information, immediate consideration for the reading of an address sent to the Commission by the Metropolitan of Moldavia. " It was at the Conference of June 8,"

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[1] M. de Liehmann is elected by lot to serve as president for the coming month.

saire de Russie, que j'ai eu l'honneur de la soumettre à la Commission. Je regrette que nous ayons laissé s'écouler près d'un mois, sans prendre connaissance de cet important document. Dans cet intervalle, les choses se sont aggravées en Moldavie et j'ai la conviction que les complications que je signale ne se seraient pas présentées, si nous avions pris à temps connaissance de ce document. Je déclare l'avoir lu avec attention; il a trait à des questions qui doivent nous préoccuper; il émane du Chef de l'Eglise moldave, qui doit non seulement présider le Divan, mais aussi, comme chef diocésain, procéder à la convocation d'une classe d'électeurs."

. . . . .

L'urgence réclamée par Mr. de Basily ayant été votée, lecture est donnée de l'adresse du Métropolitain de Moldavie.

. . . . .

### Protocolul No. 11. Ședințele din 10 Julie (28 Junie) și 13 (1) Julie 1857.

Présents: Le Commissaire d'Autriche (Président), de France, . . .

. . . . .

Mr. *de Liehmann* expose, "que jusqu'à l'heure qu'il est, quatre pétitions ont été soumises à la Commission, contenant toutes des plaintes contre le Gouvernement actuel de Moldavie et relatives aux élections pour le Divan ad-hoc; et nommément:

"1. Une pétition du Métropolitain

(May 27), said the Russian Commissioner, "that I had the honor of submitting it to the Commission. I regret that we have allowed nearly a month to go by without taking cognizance of this important document. In this interval matters have become worse in Moldavia, and I am convinced that the complications to which I refer would not have arisen, if we had taken cognizance of this document in time. I declare that I have read it with attention; it treats of the questions which should occupy us; it is issued by the Head of the Moldavian Church who should not only preside over the Divan, but also, as Chief Diocesan, should proceed to the convocation of one class of electors."

. . . . .

The immediate consideration claimed by M. de Basily having been voted, the address of the Metropolitan of Moldavia was read.

. . . . .

### Protocol No. 11. June 28/July 10 and July 1/13, 1857.

Present: The Commissioners of Austria, (presiding) of France. . . .

. . . . .

*M. de Liehmann* states "that up to the present moment four petitions have been presented to the Commission containing all the complaints against the present Government of Moldavia, and relating to the elections for the Divan *ad hoc;* namely:

"1. A petition from the Metropoli-de Moldavie en date du 19 Mai 1857.

" 2. Une pétition signée par plusieurs membres du clergé moldave et par beaucoup d'autres habitants de cette Principauté, portant la date du 20 Juin 1857.

" 3. Une pétition signée par un certain nombre d'habitants de cette Principauté, daté du 22 Avril (9 Mai) 1857; et enfin.

" 4. Une pétition du Logothète Răducan Rosetti, datée de Bacăŭ (20 Juin) 1857.

. . . . .

" Passant à la pétition No. 2, Mr. de Liehmann fait observer comme aussi à la pétition No. 3, qu'il ne peut énoncer que l'impression générale qu'elles ont produite sur lui, attendu qu'il n'a aucun moyen pour vérifier les faits nombreux qui y sont allégués.

" Quant à la pétition No. 2, continue Mr. de Liehmann, les signatures qui s'y trouvent apposées sont divisées en trois catégories distinctes, à savoir:

" *a*) En celle des inscrits dans les listes électorales, mais réclamant néanmoins contre la confection de ces listes et déclarant ne voulant point participer aux élections;

" *b*) En celle des exclus des listes électorales et croyant avoir droit d'y etre portés; enfin

" *c*) Celle des ayants-droits à participer aux élections conformément au Statut Organique et exclus par le Firman. . . .

" Mr. de Liehmann croit, en outre, devoir faire observer que les signataires de la pétition mentionnée s'arrogent le droit de se plaindre et de pro-

tan of Moldavia, dated May 19, 1857.

" 2. A petition signed by several members of the Moldavian clergy and by many other inhabitants of this Principality, under the date of June 20, 1857.

" 3. A petition signed by a certain number of inhabitants of the Principality, dated April 22/May 9, 1857, and finally

" 4. A petition of the Logothète Raducan Rosetti, dated at Bacau June 8/20, 1857.

. . . . .

" Passing to petition No. 2, M. de Liehmann observed that, as in petition No. 3, he could only state the impression this had produced on him, as he had no other means of verifying the numerous facts alleged.

" As for petition No. 2, continued Mr. de Liehmann, the signatures which are affixed are divided in three distinct categories, that is to say:

" a. Those entered on the electoral lists, but protesting against the compilation of these lists and declaring that they did not wish to have any part in the elections;

" b. Those excluded from the electoral lists and believing that they had the right to be included; finally,

" c. Those entitled to participate in its election according to the Organic Statute and excluded by the Firman. . . .

" Mr. de Liehmann believes, moreover, that he ought to point out that the Signatories to the petition mentioned claim the right to make comtester contre les procédés du Gouvernement moldave au nom du peuple moldave, circonstance qui rappelle trop les écrits de cette nature parus en 1848 et à d'autres époques de bouleversements et de troubles, pour avoir besoin d'être qualifiée.

" A la pétition No. 3, en revanche, relève Mr. de Liehmann, se trouvent annexées, comme pièces d'appui, un grand nombre de copies de lettres particulières, de correspondances officielles, de dépêches télégraphiques et même de lettres d'office échangées entre des Evêques et des administrateurs ecclésiastiques, pièces qui, évidemment, ne peuvent être tombées, si leurs copies sont exactes, que par les moyens les plus illicites et les plus répréhensibles entre les mains de leurs possesseurs, pièces qui, en outre, démontrent à l'évidence que le parti qui, en Moldavie, se décore du titre pompeux de national, n'a pas hésité à organiser, au détriment de la morale publique, tout un système de soustraction d'écrits. . . ."

A la suite de cet exposé, Mr. le Commissaire d'Autriche énonce l'avis que les pièces ci-dessus mentionées, soumises à la Commission ne sont non plus de nature à pouvoir baser sur leur contenu une censure quelconque à adresser par la Commission au Caïmacam de Moldavie, et encore moins à justifier l'opinion itérativement émise par MM. les Commissaires de France, de Prusse, de Russie et de Sardaigne, que la Commission ne pourra se mettre en rapport avec un

plaint and to protest against the proceedings of the Moldavian Government in the name of the Moldavian people, a circumstance which recalls too well the writings of this nature which appeared in 1848 and at other periods of upheaval and trouble, to need any qualification.

" Returning again to petition No. 3." Mr. de Liehmann said " that there were annexed as supplementary documents, a great number of copies of personal letters, official correspondence, telegraphic dispatches and even official letters exchanged between the Bishops and ecclesiastical administrators, documents which evidently could only have fallen into the hands of their possessors, if the copies are exact, by most illicit and reprehensible means, documents, which, moreover, give evidence that the party which, in Moldavia, decks itself with the pompous title of " National," has not hesitated to organize a system for the theft of documents to the detriment of the public morale." . . .

At the end of this argument the Austrian Commissioner expresses the opinion that the above mentioned documents submitted to the Commission are neither of a nature to allow of a censure of any kind to be based on their contents, to be sent by the Commission to the Caïmacam of Moldavia, and still less to justify the opinion repeatedly expressed by the Commissioners of France, Prussia, Russia, and Sardinia, that the Commission can not establish any relations with a

Divan *ad hoc* en Moldavie convoqué sous les auspices du Gouvernement actuel de cette Principauté."

. . . . .

Protocolul No. 12. Şedinţa din 22 (10) Julie 1857.

. . . . .

Mr. *le Baron de Talleyrand* émet l'avis suivant:

" L'étude des papiers, que Mr. de Liehmann a analysés, m'a conduit à une conclusion directement opposée a la sienne. Je me fais un devoir de relever les faits suivants, qui me paraissent plus particulièrement dignes de l'attention de mes collègues:

" L'interprétation des prescriptions du Firman à l'égard du Séminaire de Socola, telle que la comprend Mr. de Liehmann, produirait la singulière anomalie d'exclure des élections du clergé des prêtres revêtus de hautes dignités et remplissant de doubles fonctions tant à la Métropole qu'à l'établissement supérieur d'enseignement ecclésiastique. Si, par analogie, le même principe était appliqué en Valachie, à Curtea-d'Arges, par exemple, nous verrions l'Evêque prendre seul rang comme député de droit, tandis qu'aucun des dignataires attachés à la Métropole ne pourrait faire partie du corps électoral ecclésiastique. L'église, le palais épiscopal, les bâtiments habités par les fonctionnaires métropolitains, sont en dehors de la ville; par conséquent les trois paroisses insignifiantes qu'elle renferme prendraient seules part aux élections, lorsque tous les prêtres exerçant des

Divan *ad hoc* in Moldavia convoked under the auspices of the present Government of the Principality."

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Protocol No. 12 — Session of July 10/22, 1857.

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*Baron de Talleyrand* expresses the following opinion:

" The study of the papers which M. de Liehmann has analyzed, has led me to a conclusion directly opposite to his. I feel it my duty to relate the following facts; which appear to me more particularly worthy of the attention of my colleagues.

" The interpretation of the prescriptions of the Firman regarding the Seminary of Socola, as Mr. de Liehmann understands it, would produce the singular anomaly of excluding from the elections of the clergy those priests clothed with high dignities, and filling the double functions both in the Metropolis and in the chief establishment for ecclesiastical education. If, by analogy, the same principle were applied in Wallachia, to Curtea-d'Arges, for example, we should see only the Bishop take rank as deputy of right, while none of the dignitaries attached to the Metropolis could form part of the ecclesiastical electorate. The church, the episcopal palace, the buildings inhabited by the metropolitan officials are outside the town; consequently the three insignificant parishes which they enclose would alone take part in the elections, while all the priests exercising dioce-

fonctions diocésaines s'en trouveraient éliminés. N'ai-je pas, continue Mr. de Talleyrand, quelque droit de m'étonner de voir en Moldavie la lettre du Firman si pieusement respectée, lorsqu'elle exclut l'Archimandrite Scriban, dont le mérite éminent et la juste popularité ne sauraient être contestés, et si audacieusement violée, lorsqu'elle ouvre le scrutin aux électeurs soupçonnés de sympathies unionistes? Le refus d'admission pour cause d'hypothèque et bien d'autres faits, que je pourrais alléguer, sont là pour en faire foi. Il m'est impossible, en outre, de passer sous silence que le Métropolitain se plaint avec fondement des atteintes portées à ses droits archiépiscopaux et des procédés personnels du Caïmacam et de ses Ministres. En lisant les pièces officielles annexées à la protestation du Prélat, il faut reconnaître pour le moins que le Chef de l'Eglise moldave, Président du futur Divan, avait droit, sans doute, à plus d'égards. N'est-on pas alors porté à se demander, où aura été poussé l'oubli des convenances et du respect de la liberté dans des procédés, qui ne laissent pas de traces écrites? Et la conduite tenue vis-à-vis d'un aussi haut personnage ne donne-t-elle pas la mesure de ce que le Gouvernement a dû se permettre à l'égard d'individus, que leur obscurité jetait dans sa dépendance? Je tiens, ajoute Mr. le Commissaire de France, à constater en dernier lieu que Mr. de Liehmann n'a contesté aucun des faits avancés dans les deux protestations moldaves. Il s'est contenté de

san functions would find themselves eliminated. Have I not some right, continued M. de Talleyrand, to be astonished at seeing the letter of the Firman so piously respected in Moldavia, where it excludes the Archimandrite Scriban, whose merit and just popularity can not be denied, and so audaciously violated when it opens the vote to electors suspected of unionist sympathies? Refusal of admission for a hypothetical cause and many other facts that I could cite are there to attest it. Moreover, it is impossible for me to keep silence as to the fact that the Metropolitan complains with good ground that attacks have been made on his archiepiscopal rights and the personal acts of the Caïmacam and his Ministers. In reading the official documents annexed to the protest of the Prelate one must recognize that the head of the Moldavian Church, President of the future Divan, had undoubtedly the right to more consideration. Is one not then led to ask how far forgetfulness of the proprieties and respect for liberty may be pushed in proceedings which have no written records? And does not the conduct pursued towards a high personage give the measure of that which the Government would permit itself towards those individuals whose obscurity throws them on its support? I insist, adds the French Commissioner, on maintaining, finally, that Mr. de Liehmann has not contested any of the facts brought out in the two Moldavian protests. He has contented himself with saying that

dire que la source dont elles émanaient et que l'immoralité des moyens employés par les signataires pour fournir des preuves à l'appui de leurs assertions ôtaient à ses yeux toute valeur et tout caractère d'authenticité à de semblables informations. Puis, relevant que ces deux protestations et que la plupart des pièces envoyées par le Métropolitain étaient d'une seule et même écriture, il a établi une sorte de solidarité entre Son Eminence et les signataires des adresses. Je la lui oppose à mon tour, comme justifiant hautement un parti, qui comprend tant d'hommes honorables du blâme, qu'il n'a pas craint de jeter indistinctement sur tous ses membres. Il n'était pas besoin de chercher cette solidarité dans la plume d'un copiste salarié; elle existe dans la conformité de sentiments, dans la communauté de persécutions, dans l'égale réprobation que les actes du Caïmacam ont soulévée chez le Métropolitain et chez les signataires des deux protestations."

Ensuite, Mr. *de Basily* s'énonce ainsi qu'il suit:

" La Commission sait déjà, par ma déclaration au 9-ème protocole, qu'il m'est impossible de partager l'avis, que Mr. le Commissaire d'Autriche a émis en dernier lieu à l'égard de l'adresse du Métropolitain de Moldavie. . . ."

Mr. *le Baron de Richthofen* adhère à l'opinion émise par Mr. le Baron de Talleyrand et Mr. de Basily et ajoute ce qui suit:

" Mr. le Commissaire d'Autriche dit que les pétitions des Moldaves

the source from which they came and the immorality of the means employed by the signatories to furnish proof and support for their assertions removed any validity and authentic character from such information. Then, reciting that these two protests and the majority of the documents sent by the Metropolitan were in one and the same handwriting, he has established a sort of bond between His Eminence and the signers of the addresses. I maintain on the contrary that this completely exonerates from all blame a party which is composed of so many honorable men that it has had no fear of casting it indiscriminately on all its members. There is no need of seeking for this bond in the pen of a salaried copyist; it exists in the uniformity of sentiments, in the community of suffering under persecutions, in the equal reprobation which the acts of the Caïmacam have inspired both in the Metropolitan and in the signers of the two protests."

M. *de Basily* thereupon made the following announcement:

" The Commission already knows through my declaration in the 9th Protocol, that it is impossible for me to agree with the opinion expressed at the last session by the Austrian Commissioner regarding the address of the Metropolitan of Moldavia. . . ."

*Baron de Richthofen* adheres to the opinion expressed by Baron de Talleyrand and M. de Basily and adds the following:

" The Austrian Commissioner says that Nos. 2 and 3 of the Moldavian

No. 2 et No. 3 n'ont pas de valeur, attendu qu'elles se basent sur des papiers qui ont été soustraits. Mr. de Liehmann s'est dispensé d'examiner la valeur intrinsèque de ces documents, par ce qu'il les considère comme tombés par un moyen si blâmable entre les mains des auteurs des dites pétitions.

" Mr. le Commissaire de Prusse ignore complètement, si la supposition de Mr. le Commissaire d'Autriche est fondée; mais il partage entièrement son opinion, que la soustraction de papiers est toujours une violation regrettable de la loi morale. Cependant, Mr. de Richthofen ne comprend pas pourquoi l'indignation de Mr. de Liehmann s'est arrêtée là. Celle du Commissaire de Prusse va beaucoup plus loin. Il regrette, avant tout, que sous le voile du secret, qui vient d'être levé, on puisse constater des influences occultes, des manœuvres et des encouragements, ayant pour but de déjouer et de fausser les dispositions du Traité de Paris et du Firman impérial, ainsi que la recommandation d'une conduite, que le Commissaire de Prusse est peiné de devoir considérer comme parfaitement illégale, déloyale et, certes, sous le rapport de la moralité, non moins blâmable qu'une soustraction de papiers. Selon lui, la responsabilité doit incomber surtout aux manœuvres provocatrices. Comme Mr. de Liehmann — conclut Mr. de Richthofen — n'a envisagé que la forme des pétitions No. 2 et No. 3 et n'a pas examiné leur contenu, la conclusion à laquelle il arrive ne lui paraît

petitions are without value as they are based on papers which have been stolen. M. de Liehmann has dispensed with any examination of the intrinsic value of these documents, because he considers that they have fallen into the hands of the authors of the said petitions by such censurable means.

" The Prussian Commissioner is absolutely ignorant as to whether the supposition of the Austrian Commissioner is well founded; but he wholly agrees with his opinion that the purloining of papers is always a regrettable violation of moral law. However, Mr. de Richthofen does not understand why the indignation of Mr. de Liehmann has stopped at that point. That of the Prussian Commissioner goes much farther. He regrets above all, that under the veil of secrecy which has just been raised, it was possible to maintain occult influences as well as machinations and stimuli, having for object the frustration and falsification of the provisions of the treaty of Paris and of the Imperial Firman, as well as the recommending of a line of conduct which the Prussian Commissioner is sorry to consider as absolutely illegal, disloyal, and certainly, as regards morality, no less censurable than the stealing of papers. According to him the responsibility should belong above all to the provocative machinations. As Mr. de Liehmann concludes, Mr. de Richthofen has only considered the form of petitions Nos. 2 and 3 and has not examined their contents, the pas de nature à invalider la valeur de ces documents."

MM. *les Commissaires de France et de Russie* " s'associent à ces observations de Mr. le Baron de Richthofen."

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### Protocolul No. 13. Şedinţa din 29 (17) Julie 1857.

. . . . .

Sir Henry Bulwer s'énonce ainsi qu'il suit: . . . " Une censure formelle, en effet, contre le Prince Caïmacam de Moldavie ne peut être basée que sur trois considérations:

" 1. A-t-il bien interprété le Firman de la Porte?

" 2. A-t-il bien exécuté le Firman, selon l'interprétation qu'il a donnée lui-même à ce document?

" 3. A-t-il voué l'attention due à la communication de la Porte datée du 31 Mai et qui lui a été transmise par la voie de notre Président?

" Quant à l'interprétation du Firman, il est évident que nous croyons tous que son interprétation n'est pas la meilleure, puisque la nôtre n'est pas la même. Mais avons-nous le droit d'interpréter le Firman pour le Prince Vogoridès? Nous avons nous-mêmes reconnu n'avoir aucun droit d'expliquer ce décret, quand nous avons référé les doutes du Prince Ghica à la Porte et aux Représentants. . . .

" Pour blâmer le Prince Vogoridès sur son interprétation du Firman, il

conclusion at which he arrives does not appear to him to be of a nature to invalidate the value of the documents."

The *French and Russian Commissioners* " agree with the observations of Baron de Richthofen."

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### Protocol No. 13. Session of July 17/29, 1857.

. . . . .

Sir Henry Bulwer makes the following statement of his position. . . . " A formal censure of the Prince Caïmacam of Moldavia can be based at present on only three considerations:

" 1. Has he properly interpreted the Firman of the Porte?

" 2. Has he properly executed the Firman, according to his own interpretation of this document?

" 3. Has he devoted due attention to the communication of the Porte dated May 31 and transmitted to him through our President?

" As for the interpretation of the Firman, it is evident that we are all of the opinion that his interpretation is not the best since it is not the same as ours. But have we the right to interpret the Firman for Prince Vogorides? We ourselves recognized that we had only the right to explain this decree, when we referred the doubtful points raised by Prince Ghica to the Porte and to the Representatives. . . .

" To blame Prince Vogorides for his interpretation of the Firman, one

faut avoir quelque droit, quelqu'autorité, et je ne saurais dans ce moment affirmer qu'un tel droit, une telle autorité nous appartiennent. . . .

" Les idées de mes collègues peuvent éclairer mon jugement, et avant de les connaître, je ne veux pas émettre une opinion définitive.

" Mais il me semble que la conduite la plus pratique et la plus propre à éclairer notre situation sans nous compromettre serait de signaler, dans notre protocole, qui pourrait être envoyé sans délai à Constantinople et à tous les Cabinets:

" 1. Les points principaux dans le Firman, qui ont été différemment interprétés dans les deux Principautés, tout en expliquant les motifs qui nous ont guidés dans notre interprétation.

" 2. Une déclaration portant, qu'après avoir lu une grande quantité de documents, dont l'intention a été d'inculper le Gouvernement du Prince Vogoridès, nous sommes d'avis que ces documents méritent l'attention de nos Gouvernements respectifs, ainsi que celle du Gouvernement de la Porte, mais que nous nous abstenons de prononcer une opinion quelconque sur une affaire, qui ne peut que nous être imparfaitement connue, vu que nous ne sommes pas dans la position, ni de confronter des témoins, ni d'entrer pratiquement dans des détails.

. . . . .

Mr. *le Baron de Talleyrand* " réclame l'urgence pour une communication, qu'il a à faire à la Commission."

L'urgence ayant été votée, Mr. *le*

must have some right, some authority, and I can not at this moment affirm that such a right or authority belongs to us. . . .

" The ideas of my colleagues may enlighten my judgment and before ascertaining them, I do not wish to express my final opinion.

" But it appears to me that the most practical and the best way by which to throw light on our situation, without compromising ourselves, is to point out in our protocol, which could be sent, without delay, to Constantinople and to all the Cabinets:

" 1. The principal points in the Firman, which have been differently interpreted in the two Principalities, explaining the reasons which have guided us in our interpretation.

" 2. A declaration reciting that after having read a great quantity of documents, the aim of which has been to inculpate the Government of Prince Vogorides, we are of the opinion that these documents deserve the attention of our respective Governments as well as that of the Government of the Porte, but that we abstain from pronouncing any opinion whatever on an affair which can be only imperfectly known to us as we are not in the position either of comparing evidence or of entering into details in a practical manner.

. . . . .

*Baron de Talleyrand* " requests immediate consideration for a communication which he has to make to the Commission."

Immediate consideration having

*Commissaire de France* s'énonce ainsi qu'il suit: " Les mesures préparatoires aux élections de la Moldavie ont motivé de ma part un vote de méfiance, dans la séance que la Commission a tenue le 3 Juin (22 Mai) dernier. J'y déclarai qu'il ne serait pas conforme à la dignité du Congrès, dont nous émanions, d'entrer en rapports avec le Divan moldave, qui allait être convoqué sous de tels auspices.

" Je me réfère aujourd'hui à tout ce que j'ai consigné depuis dans les protocoles suivants, tant pour signaler les abus et les illégalités flagrantes qui s'accomplissaient en Moldavie, que pour engager la Commission à rappeler le Prince Vogoridès au respect du Traité et aux prescriptions du Firman.

" Mes efforts, ainsi que ceux de mes collègues de Prusse, de Russie et de Sardaigne, n'ont eu aucun succès. Les élections de Moldavie sont terminées depuis trois jours dans toute la Principauté.

" Faites par des moyens illégitimes, elles ne peuvent être considérées aujourd'hui que comme dérisoires, puisque la clause du Traité du 30 Mars, à laquelle les populations des Principautés devaient attacher le plus de valeur, n'a point été exécutée.

" Sur l'ordre du Gouvernement de l'Empereur, je viens protester formellement contre ces élections, que je déclare frappées de nullité.

" Par conséquent, je m'opposerai à tout rapport de la Commission avec

been voted, the *French Commissioner* makes the following declaration: " The measures preparatory to the election in Moldavia have inspired from me a vote of lack of confidence at the session of the Commission on May 22 (June 3) last. I declared then that it would not be consonant with the dignity of the Congress which we represent, to enter into relations with the Moldavian Divan, which was about to be convoked under such auspices.

" I refer today to that which I have deposited since then in the subsequent protocols, as much to point out the abuses and flagrant illegalities which are going on in Moldavia as to induce the Commission to recall Prince Vogorides to a respect for the Treaty and the provisions of the Firman.

" My efforts, as well as those of my colleagues of Prussia, Russia and Sardinia, have had no success. The Moldavian elections were ended three days ago throughout the Principality.

" Conducted by illegal methods, they can not be considered to-day in any way except as farcical, since the clause of the Treaty of March 30, to which the populations of the Principalities should have attached the most importance, have not been executed.

" By order of the Government of the Emperor, I now protest formally against the elections, which I declare to be null and void.

" Consequently I oppose any relations of the Commission with the As-l'Assemblée qui pourra être convoquée à la suite de ces dites élections, puisque je ne saurais reconnaître à cette Assemblée le caractère d'un Divan *ad-hoc* tel que le Traité de Paris et le Firman impérial ont voulu le constituer."

MM. *les Commissaires de Prusse, de Russie, et de Sardaigne,* " en se référant à leurs déclarations antérieures, s'associent au nom des Cabinets respectifs, à la protestation ci-dessus de Mr. le Commissaire de France."

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Protocolul No. 14. Ședința din 3 August (22 Iulie) 1857.

. . . . .

Mr. *le Commissaire d'Autriche* expose:

" Dans la derniére séance de la Commission, du 29 du mois passé, Mr. le Baron de Talleyrand a protesté contre les élections faites en Moldavie, . . . qu'il s'opposera à tout rapport de la Commission avec un Divan *ad-hoc* qui pourra être convoqué à la suite des dites élections.

" MM. les Commissaires de Prusse, de Russie et de Sardaigne se sont associés à cette protestation et à la déclaration ci-dessus.

" Or, continue Mr. de Liehmann, le Traité de Paris du 30 Mars 1856 et l'instruction du Congrès de Paris, qui se trouve annexée au 22-ème protocole, déterminent avec précision la tâche qui a été dévolue à la Commission et déterminent de la manière la plus explicite ses attributions.

. .

sembly which could be convoked in consequence of these said elections, since I can not recognize in this Assembly the character of a Divan *ad hoc* such as the Treaty of Paris and the Imperial Firman have aimed to establish."

The *Prussian, Russian and Sardinian Commissioners* " referring to their former declarations, concur in the name of their respective Cabinets, in the above protest of the French Commissioner." . . .

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Protocol No. 14. Session of July 22/August 3, 1857.

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The *Commissioner of Austria* states:

" In the last session of the Commission, on the 29th of the past month, Baron de Talleyrand protested against the elections held in Moldavia . . . and said that he would oppose any relations by the Commission with a Divan *ad hoc,* which might be convened as a consequence of the said elections.

" The Commissioners of Prussia, Russia and Sardinia joined in the protest and in the above declaration.

" But, continues Mr. de Liehmann, the Treaty of Paris of March 30, 1856, and the instructions of the Congress of Paris, which are annexed to the 22nd Protocol, define with precision the task which has devolved upon the Commission and determines its power in the most explicit manner.

" Conformément à l'art. 24 du dit Traité, la tâche de cette Commission n'est une autre que: ' celle de s'enquérir de l'état actuel des Principautés et de proposer les bases de leur future organisation.'

" L'instruction du Congrès développe cette disposition, en statuant: que les questions soumises à l'étude de la Commission embrasseront le système administratif dans la plus complète expression. Cette instruction n'attribue d'ailleurs à la Commission que le caractère consultatif et lui défend, de plus, expressément tout acte d'autorité ou d'ingérence.

" Considérant que la protestation de MM. les Commissaires ci-dessus mentionnés sort évidemment du cercle des attributions de la Commission, clairement circonscrites par le passage de l'art 24 du Traité cité plus haut:

" Considérant qu'elle a évidemment trait à des questions, qui ne font nullement partie du système administratif des Principautés;

" Considérant qu'elle intervertit complètement la caractère purement consultatif de la Commission;

" Considérant enfin qu'elle est évidemment un acte d'autorité et d'ingérence;

" Mr. Liehmann déclare, que MM. les Commissaires de France, de Prusse, de Russie et de Sardaigne ont, en donnant au protocole la protestation en question, agi en contradiction manifeste avec les dispositions précitées du Traité de Paris et les instructions du Congrès, et cela à d'autant plus forte raison que, conformément

" In conformity with Article 24 of the said Treaty, the task of the Commission is no other than ' that of inquiring into the present state of the Principalities and of proposing bases for their future organization.'

" The instructions of the Congress develop this provision by stating that the questions submitted for the study of the Commission shall embrace the administrative system in all its details. These instructions attribute beyond this to the Commission only a consultative character, and moreover, forbid to it all acts of authority or of interference.

" Considering that the protest of the Commissioners above mentioned is an evident departure from the powers of the Commission, clearly limited in the passage of Article 24 of the treaty cited above:

" Considering that it clearly deals with questions which form no part of the administrative system of the principalities;

" Considering that it completely reverses the purely consultative character of the Commission;

" Considering, finally, that it is clearly an act of authority and of interference;

" M. Liehmann declares that the Commissioners of France, Prussia, Russia and Sardinia in entering in the protocol the protest in question have acted in manifest contradiction to the provisions cited above of the Treaty of Paris and the instructions of the Congress, and all the more so that, according to the protocol of the first

au protocole de la 1-ère séance de la Commission, tous les Commissaires 'se sont désistés de tout droit de se prévaloir des instructions particulières à chacun d'eux, qui seraient en désacord avec l'instruction générale du Congrès.'

" Mr. le Commissaire d'Autriche proteste, par conséquent, au nom de son Gouvernement et de la manière la plus formelle, contre le procédé susmentionné de MM. les Commissaires de France, de Prusse, de Russie et de Sardaigne.

" Mr. de Liehmann soumet ensuite à la Commission la *Gazette de Moldavie* No. 34, contenant la liste des élections qui y ont été faites dans la classe des grande propriétaires, et il ajoute que, quoi qu'on en dise de ces élections, leur résultat pourtant ne saurait être qualifié autrement que comme satisfaisant, attendu que la liste ci-dessus fait foi que, sauf la classe des grands propriétaires, les personnes appartenant aux toutes premières et aux plus riches familles du pays ou qui, par leur mérite personnel, y ont acquis une position élevée, forment la très grande majorité des élus et que, de même dans les autres classes, les sommités dans chacune d'elles ont été appelées à représenter le pays dans le Divan *ad-hoc*.

. . . . .

MM. *les Commissaires des France, de Prusse, de Russie et de Sardaigne,* " déclarent qu'ils ont protesté par ordre de leurs Cabinets respectifs contre les illégalités commises en

session of the Commission, all the Commissioners 'have refrained from all right of availing themselves of particular instructions to each, which should be contrary to the general instructions of the Congress.'

" The Austrian Commissioner protests, in consequence, in the name of his government and in the most formal manner, against the above mentioned conduct of the Commissioners of France, Prussia, Russia and Sardinia.

" Mr. de Liehmann thereupon submits to the Commission the *Gazette de Moldavia* No. 34, containing the list of the elections which have been held there in the class of large land owners, and he adds that, whatever may be said of these elections, their result can nevertheless only be described as satisfactory, as the list above mentioned proves that, except in the class of large land owners, the persons belonging to all the leading and the richest families of the country, or those who by personal merit have acquired a high position there, form the great majority of those elected and that, as in the other classes, the best part of each class has been called to represent the country in the Divan *ad hoc*.

. . . . .

The *Commissioners of France, Prussia, Russia* and *Sardinia* " declare that they have protested by order of their respective Cabinets against the illegalities committed in Moldavia

Moldavie dans la convocation du Divan stipulé par le Traité de Paris. La contre-protestation de Mr. le Commissaire d'Autriche ne s'applique pas à l'acte des Commissaires eux-mêmes, mais elle remonte aux ordres supérieurs de Cabinets. En présence d'une protestation de cette nature, ajoutent MM. les Commissaires de France, de Prusse, de Russie et de Sardaigne, nous nous abstenons de justifier notre procédé et de relever ce qu'il y a d'inexact et d'erroné dans l'argumentation de Mr. de Liehmann, en nous référant à nos Cabinets respectifs. Mais en attendant la solution, nous croyons de la dignité des Gouvernements que nous représentons de ne plus prendre part à des séances, dans lesquelles on a voulu mettre en question, non plus notre conduite personnelle, mais la rectitude des procédés de nos Cabinets respectifs."

Mr. *de Liehmann* "demande à MM. les quatre Commissaires précités s'ils agissent sur les ordres de leurs Gouvernements, en déclarant ne pouvoir plus assister à aucune séance de la Commission jusqu'à ce que la question en instance ait reçu une solution de la part de leurs Cabinets."

MM. *les Commissaires de France, de Prusse, de Russie* et *de Sardaigne*, répliquent "Que devant une déclaration aussi positive que la leur, ils ne se croient par tenus d'entrer dans ces explications ultérieures."

. . . . .

in the convocation of the Divan as stipulated by the Treaty of Paris. The counter protest of the Austrian Commissioner does not apply to the act of the Commissioners themselves, but it refers back to the superior orders of the respective Cabinets. In the face of a protest of this nature, add the Commissioners of France, Prussia, Russia, and Sardinia, 'we refrain from justifying our procedure and from touching upon the inexactitudes and errors in the argument of Mr. de Liehmann, referring the matters to our respective Cabinets. But while awaiting the solution, we consider it imperative for the dignity of the Governments which we represent to no longer take part in sessions in which it has been deemed proper to question not only our personal conduct but the integrity of the procedure of our respective Cabinets.'"

Mr. *de Liehmann* "asks the four Commissioners aforesaid whether they are acting by order of their Governments, in declaring that they can not take part in any session of the Commission until the question under discussion has received a solution on the part of their Cabinets."

The *Commissioners of France, Prussia, Russia* and *Sardinia* reply "that in face of a declaration as positive as theirs they do not consider themselves bound to enter into further explanations."

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### Protocolul No. 17. Şedinţa din 22 (10) Septembrie 1857.

Reprenant la déliberation qui fait l'objet du dernier protocole, la Commission exprime l'avis que Mr. le Président actuel, ainsi que Mr. le Commissaire de la Grande Bretagne, qui tous les deux n'ont pas encore visité la Moldavie, se rendent à Jassy, afin de s'entendre sur les rélations à établir entre la Commission et le Divan.

En conséquence, MM. les Commissaires de la Grande Bretagne et de Russie se rendront à Jassy dans le plus bref délai.

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### Protocolul No. 19. Şedinţa din 14 (2) Octombrie 1857.

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Mr. *de Liehmann* " appelle l'attention de MM. ses collègues sur la circonstance, que le mandat impératif émané des comités soi-disant nationaux a été employé dans les deux Principautés; que ce mandat a exercé une grande influence sur les élections et qu'il pourrait également compromettre la liberté du vote dans les Divans."

Mr. *le Commissaire de Turquie* "s'associe entièrement à l'observation de Mr. de Liehmann."

Mr. *le Baron de Richthofen* fait observer, " que l'opinion de la Commission sur le mandat impératif est conforme à celle que MM. les Commissaires de la Grande Bretagne et de Russie ont émise à ce sujet à

### Protocol No. 17. Session of Sepber 10/22, 1857.

Resuming the debate, which was the subject of the last protocol, the Commission expressed the opinion that the President in office as well as the British Commission, who had neither of them yet visited Moldavia, should repair to Jassy in order to agree on the relations to be established betweeen the Commission and the Divan.

Consequently, the British and Russian Commissioners will repair to Jassy with as little delay as possible.

. . . . .

### Protocol No. 19. Session of October 2/14, 1857.

. . . . .

Mr. *de Liehmann* " calls the attention of his colleagues to the circumstance that the imperative mandate issued by the so called National Committees has been employed in both the Principalities; that this mandate has exercised a great influence on the elections and that it may also compromise the freedom of the vote in the Divans."

The *Turkish Commissioner* " agrees entirely with the observations of Mr. de Liehmann."

*Baron de Richthofen* observes " that the opinion of the Commission on the imperative mandate agrees with that expressed by the British and Russian Commissioners at Jassy. This opinion relates to the interpretation of

Jassy. Cette opinion se rapporte à l'interprétation du mandat, que les députés pourraient avoir reçu de leurs électeurs. Du reste, le mandat impératif ne doit limiter d'aucune manière les députés dans l'accomplissement des devoirs, que le Firman impérial leur impose."

Mr. *le Baron de Talleyrand* " s'associe à l'observation faite par Mr. le Commissaire de Prusse."

*Sir Henry Bulwer* et Mr. *de Basily* répliquent, " que l'observation de Mr. le Baron de Richthofen exprime, d'une manière qui ne peut être qu'agréable aux Commissaires susmentionnés, l'opinion générale de tous leurs collègues sur la question soulevée par Mr. de Liehmann," et Mr. *le Commissaire britannique* ajoute encore, " que la conduite ultérieure des Divans mettra la Commission à même de se former un jugement sur l'effet du mandat impératif."

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Protocolul No. 21. Ședințele din 29 (17) Octombrie și 4 Noembrie (23 Octombrie) 1857.

. . . . .

Sir Henry Bulwer soumet à la Commission les lettres, qu'il a échangées avec les Caïmacams et les Présidents des Divans, dans le but de l'établissement d'un service de poste régulier entre Bucarest et Jassy et afin que les procès-verbaux des séances, ainsi que les Règlements intérieurs des deux Assemblées, soient sans retard communiqués à la Commission. . . .

the mandate which the deputies may have received from their electors. For the rest the imperative mandate should not in any way limit the deputies in the fulfilment of the duties imposed on them by the Firman."

*Baron de Talleyrand* " agrees with the observation made by the Prussian Commissioner."

*Sir Henry Bulwer* and *Mr. de Basily* reply " that the observation of Baron de Richthofen expresses in a manner which can not fail to be agreeable to the above mentioned Commissioners, the general opinion of all their colleagues on the question raised by Mr. de Liehmann," and the *British Commissioner* adds " that the subsequent conduct of the Divans will enable the Commission to form its opinion as to the effect of the imperative mandate."

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Protocol No. 21. Sessions of October 17/29 and October 23/ November 4, 1857.

. . . . .

Sir Henry Bulwer presents to the Commission the letters which he has exchanged with the Caïmacams and the Presidents of the Divans, for the purpose of establishing a regular postal service between Bucharest and Jassy and in order that the official reports of the sessions, as well as the rules of procedure of the two Assemblies should be communicated to the Commission without delay. . . .

" Mr. de Liehmann soumet ensuite à la Commission la liste des personnes, qui forment la commission du Divan susmentionnée et fait observer que, parmi ses 9 membres, il ne s'en trouve pas moins de 7 qui ont joué un rôle saillant dans la révolution de 1848 . . .

. . . . .

Mr. *le Baron de Richthofen* " soumet à l'appréciation de ses collègues que, par la déclaration circonstanciée que Mr. de Liehmann vient de faire, la Commission sera involontairement engagée de nouveau dans l'ancienne voie de la longueur et de la prolixité des protocoles, laquelle n'a pas rencontré l'approbation générale. Passant au fond de l'exposé de Mr. de Liehmann, Mr. le Commissaire de Prusse invite à plusieurs reprises son honorable collègue d'Autriche à ne pas provoquer la discussion sur la question des exiles."

. . . . .

Mr. de Liehmann ayant insisté pour que sa déclaration fut textuellement insérée au protocole, Mr. *le Commissaire de Russie* expose de son côté ce qui suit:

" Il n'est pas dans nos attributions de scruter les noms qui figurent dans le bureau et dans les commissions nommées par le Divan. Je doute aussi qu'il soit conforme à la dignité de la Commission internationale de scruter les antécédents des individus, qui font partie du Divan, et d'en tirer des inductions sur les tendances de ce corps. Nous le jugerons d'après ses actes. A

Mr. de Liehmann then presents to the Commission the list of persons who form the aforementioned Commission of the Divan and observes that, among the 9 members, there are no fewer than 7 who have played a prominent part in the Revolution of 1848 . . .

. . . . .

*Baron de Richthofen* " presents for the consideration of his colleagues the fact that by means of the detailed declaration just made by Mr. de Liehmann, the Commission will again be led involuntarily into the old road of tediousness and prolixity of the protocols, which has not met with general approbation. Passing to the end of the argument of Mr. de Liehmann, the Prussian Commissioner repeatedly requests his honorable colleague not to provoke discussion on the questions of the exiles."

. . . . .

Mr. de Liehmann having insisted that the text of his declaration be inserted in the protocol, the *Russian Commissioner* makes the following statement:

" It is not one of our functions to examine the names which figure in the Bureau and in the commission named by the Divan. I doubt also whether it is suitable to the dignity of the International Commission to examine the antecedents of the individuals who form a part of the Divan and to draw from them conclusions as to the tendencies of that nos yeux, le Divan est le légitime organe des vœux du pays.

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Protocolul No. 22. Şedinţa din 14 (2) Noembrie 1857.

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Lecture est donnée des procès-verbaux 1, 2, 3, 4, 5, 6, 7, 8 et 9 du Divan de Moldavie, des procès-verbaux 1, 2, 3, 4, 5, 6 et 7 du Divan de Valachie et du Règlement intérieur de cette dernière Assemblée. . . .

Au procès-verbal No. 7 du Divan de Moldavie est jointe une adresse de remercîments, votée par le Divan de cette Principauté aux hautes Puissances signataires du Traité de Paris. . . .

Après quoi, *Safvet Effendi* s'exprime dans les termes suivants: " Tout en constatant aujourd'hui avec mes honorables collègues les vœux émis par les Divans *ad-hoc* de Moldavie et de Valachie concernant l'Union de ces deux provinces sous la dénomination de: 'Roumanie,' un Prince étranger appartenant à une des familles régnantes de l'Europe, avec le droit d'hérédité dans sa dynastie, l'autonomie, le Gouvernement constitutionnel et la garantie collective des Puissances signataires du Traité de Paris, je réserve à la S. Porte, à la suite d'un ordre de mon Gouvernement, de discuter et de combattre au sein du Congrès de Paris ceux des vœux susmentionnés, qu'elle considère

body. We shall judge them according to their acts. In our eyes the Divan is the legitimate organ of the desires of the country.

. . . . .

Protocol No. 22. Session of November 2/14, 1857.

. . . . .

There were then read the official minutes of Sessions 1, 2, 3, 4, 5, 6, 7, 8, and 9 of the Divan of Moldavia, the minutes of the Sessions 1, 2, 3, 4, 5, 6, and 7 of the Divan of Wallachia and the rules of procedure of the latter Assembly. . . .

To the minutes of the Divan of Moldavia is appended an address of thanks, voted by the Divan of that Principality to the High Powers signatory to the Treaty of Paris. . . .

Thereupon *Safvet Effendi* expressed himself in the following terms: " While verifying today, with my honorable colleagues, the wishes expressed by the Divans *ad hoc* of Moldavia and of Wallachia concerning the Union of these two provinces under the title of 'Roumania,' a foreign prince belonging to one of the reigning families of Europe with the right of heredity for his dynasty, autonomy, constitutional government and the collective guarantee of the Powers signatory to the Treaty of Paris, I reserve for the Sublime Porte, in accordance with the order of my Government, to discuss and to oppose before the Congress of Paris which it considers as infringing on comme attentatoires à ses droits incontestables et aux vrais intérêts des dites Principautés.

"Je réclame enfin l'insertion textuelle de ma présente déclaration au protocole de la séance d'aujourd'hui."

Mr. *le Commissaire d'Autriche* déclare, "qu'il n'hésite pas à constater que le principe énoncé à l'égard de l'Union politique des Principautés, dans la réserve ci-dessus, donnée au protocole par Mr. le Commissaire ottoman à la suite d'un ordre spécial de la Sublime Porte, est en parfaite harmonie avec le point de vue auquel la Cour Impériale d'Autriche envisage cette question."

MM. *les Commissaires de France, de Prusse, de Russie* et *de Sardaigne*, "considérant qu'il n'est pas de leur compétence d'approuver ou désaprouver une déclaration faite par ordre spécial d'une des hautes Cours signataires du Traité du 30 Mars, se bornent à réserver à leurs Cabinets dans la Conférence de Paris la discussion pleine et entière des vœux politiques émis par les Divans de Valachie et de Moldavie."

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Protocolul No. 25. Sedinţa din 21 (9) Noembrie 1857.

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*Sir Henry Bulwer*, revenant aux observations déjà présentées par lui sur les élections moldaves, émet l'avis suivant : "Quand mes collègues sont revenus de Jassy, il y a quelques mois,

those of the aforementioned wishes its incontestable rights and the true interests of the Principalities.

"I demand insertion of the text of my present declaration in the protocol of to-day's session."

The *Austrian Commissioner* declares "that he does not hesitate to maintain that the principle enunciated with regard to the political Union of the Principalities, with the above reservation, inserted in the protocol by the Ottoman Commissioner according to a special order of the Sublime Porte, is in perfect harmony with the point of view from which the Imperial Court of Austria regards this question."

The *Commissioners of France, Prussia, Russia* and *Sardinia* "considering that it is beyond their competence to approve or disapprove of a declaration made by the special order of one of the High Contracting Courts, signatory to the Treaty of March 30, limit themselves to reserving to their Cabinets in the Conference of Paris the full and complete discussion of the political desires expressed by the Divans of Wallachia and of Moldavia."

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Protocol No. 25, Session of November 9, 1857.

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*Sir Henry Bulwer*, recurring to the observations already presented by him as to the Moldavian elections, expresses the following opinion: "When my colleagues returned from quelques-uns d'entre eux ont appelé notre attention sur ce qui se passait alors dans la Moldavie à l'égard des élections.

" Je n'ai pas manqué, lors de ma récente visite dans la Principauté voisine, d'acquérir moi-même des informations tant sur les premières que sur les secondes élections.

". . . comme mon silence peut donner lieu à des interprétations erronées, je crois de mon devoir, d'après les investigations que je viens de faire, de déclarer que, tout en soutenant mon ancienne opinion, qu'il y avait de l'exagération dans les plaintes qui nous sont parvenues à l'égard des premières élections, je me suis aussi convaincu qui'l y avait de la verité au fond de plusieurs de ces plaintes et que, dans les dernières élections, il y avait aussi des irrégularités fort regrettables.

. . . . .

". . . Or, demander de nouvelles élections serait non seulement susciter de nouveaux délais, mais susciter aussi de nouvelles dissensions entre les Puissances, puisqu'il y en a qui croient que la Commission pourrait émettre un pareil vœu, tandis qu'il y en a d'autres qui soutiennent que la Commission n'a nullement ce pouvoir. En outre, si nous devions rester à Bucarest jusqu'à ce qu'il y ait des élections en Moldavie et en Valachie, qui ne donnent pas sujet à de grands abus ou du moins à de grandes plaintes, notre séjour dans ce pays serait, je le crains, prolongé jusqu'aux limites de la vie humaine.

. . . . .

Jassy, some months ago, some of them called our attention to what had passed in Moldavia in regard to the elections.

" At the time of my recent visit to the neighboring Principality I did not neglect to collect information as to the first as well as second elections.

". . . as my silence might lead to erroneous impressions I think it my duty, after the investigations I have just made, to declare that, while continuing to hold my former opinion, namely that there were exaggerations in the complaints which came to us concerning the first elections, I am also convinced that there was truth at the bottom of some of those complaints and that, in the last elections there were also very regrettable irregularities.

. . . . .

". . . But, to demand new elections would be not only to incur new delays but to incur also new discussions among the Powers, since there are some of them who believe that the Commission could express such a wish while there are others who maintain that the Commission has not this power. Moreover, if we should remain at Bucharest until there were elections in Moldavia and in Wallachia which would not give rise to great abuses or at least to great complaints, our sojourn in this country would, I believe, be prolonged up to the limit of human life.

. . . . .

Mr. *le Baron de Talleyrand* désire constater le fait, " que sur un corps électoral comptant environ 140,000 personnes, il n'y a eu que 57 individus qui, soit directement soit indirectement, ont fait parvenir à la Commission des plaintes au sujet des secondes élections moldaves et que, parmi ce dernier nombre, il se trouvait deux Ministres récemment destitués."

Mr. *de Basily* observe, " que tout en constatant de nouveau que les premières élections en Moldavie furent entièrement illégales, il ne saurait soutenir cependant que les dernières élections eussent été parfaitement régulières."

Mr. *le Baron de Richthofen* " s'associe aux avis de MM. le Baron de Talleyrand et de Basily, en pensant, avec Sir Henry Bulwer, qu'il ne saurait être d'aucune utilité pratique de s'occuper davantage de la question des élections moldaves. . . .

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### Protocolul No. 34. Şedinţa din 4 Ianuarie 1858 (23 Decembrie 1857).

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M. le Président soumet à la Commission une dépêche télégraphique du Président du Divan moldave, en date du 3 Janvier — n. s.— dont suit le texte:

" J'ai l'honneur d'annoncer à Votre Excellence, qu'aujourd'hui même le Divan *ad-hoc* de Moldavie a prononcé la clôture de ses travaux par un vote de remercîments envers les hautes Puissances se déclarant toutefois prêt

*Baron de Talleyrand* wishes to state the fact that in an electorate numbering almost 140,000 persons there are only 57 individuals who, either directly or indirectly, have caused complaints to be brought to the Commission on the subject of the second Moldavian elections, and that among the latter are two Ministers recently dismissed.

M. *de Basily* observes " that in again maintaining that the first elections in Moldavia were entirely illegal, one could not maintain that the last election had been perfectly regular.

*Baron de Richthofen* " agrees with the opinion of Baron de Talleyrand and Mr. de Basily while of the same opinion as Sir Henry Bulwer that there could be no practical utility in further consideration of the question of the Moldavian elections. . . .

. . . . .

### Protocol No. 34. Session of December 23, 1857/January 4, 1858.

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The President submits to the Commission a telegraphic dispatch from the President of the Moldavian Divan, dated January 3, n. s., the text of which follows:

" I have the honor to announce to your Excellency that on this very day the Divan *ad hoc* of Wallachia has pronounced the termination of its labors by a vote of thanks to the high Powers, declaring itself always à se réunir de nouveau, dans le cas où il aurait à répondre à de nouvelles communications que lui adresserait la Commission internationale."

*Safvet Effendi* demande, " que la Commission se prononce d'urgence sur l'opportunité de la dissolution du Divan de Moldavie."

MM. *les Commissaires* déclarent, " qu'aussitôt qu'ils auront reçu les actes complets du Divan moldave, ils s'empresseront de se prononcer sur ce sujet."

Se référant à la résolution prise dans la dernière séance, Mr. le Président " invite MM. ses collègues à s'entendre sur la marche à adopter pour commencer les études de la Commission sur les questions d'administration intérieure en Valachie et, à ce propos, il donne lecture du passage de l'instruction du Congrès qui a trait à ces questions."

La Commission décide de traiter dans une prochaine séance la question judiciaire et la question militaire, sur lesquelles elle a pu compléter ses informations.

. . . . . .

ready to reassemble, in case there should be need of answer to their communications addressed to it by the International Commission."

*Safvet Effendi* demands " that the Commission pass a vote of urgent necessity as to the expediency of the dissolution of the Divan of Moldavia."

*The Commissioners* declare " That as soon as they shall have received the complete acts of the Moldavian Divan, they will hasten to make a pronouncement on this subject."

Referring to the resolution taken in the last session the President "invites his colleagues to agree as to the method to be adopted by the Commission for beginning on the studies of the questions of the internal administration of Wallachia and for this purpose he reads a passage of the instructions of the Congress which deals with the questions."

The Commission decides to take up in the next session the judicial and military questions, on which it has been able to complete its information.

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## *Address of the Moldavian Patriots to the European Commission at Bucharest, Protesting against the Electoral Lists published by the Caimacam, June* 8/20, 1857 [1]

Escelenţelor sale, d-lor membriĭ aĭ înalteĭ Comisiĭ europene pentru reorganisaţia Principatelor, adunată în Bucurescĭ.

To Their Excellencies, the Members of the High International Commission for the Reorganization of the Principalities, at Bucharest.

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[1] *Acte si documente, renascerei Romaniei,* vol. 4, p. 904.

. . . . .

Intr'adevĕr, fără a vorbi aicĭ de metehnele firmanuluĭ, de înlăturarea cu care el lovesce pe maĭ multe clase de locuitorĭ, de mărginirile şi greutăţile de aplicaţiĭ ce se găsesc în el la tot rîndul; poate cine-va sprijini oare că listele de acum publicate sunt măcar conforme cu disposiţiile firmanuluĭ, dacă nu cu stipulaţiile Tratatuluĭ de Paris?

Din douĕ miĭ de proprietarĭ marĭ, cunoscuţĭ în Moldova, numaĭ treĭ sute cincĭ-decĭ alegĕtorĭ figurează în liste şi din douĕ-decĭ de miĭ proprietarĭ micĭ, numaĭ douĕ miĭ douĕ sute şase-decĭ şi patru de alegĕtorĭ de gradul ântâiŭ sunt cuprinşĭ în ele. Clasa profesiilor liberale întreagă este representată numaĭ de un-spre-dece alegĕtorĭ şi cele cincĭ-spre-dece têrgurĭ, residenţe ţinutale din ţará, înfăţişează numaĭ una mie şapte sute opt-decĭ şi opt de alegĕtorĭ, proprietarĭ de case, neguţătorĭ şi meşterĭ, când, chiar în tablele visterieĭ, figurează douĕ-spre-dece miĭ neguţătorĭ şi meşterĭ, afară de aceĭ ce sunt pe pămîntul dat Moldoveĭ din Basarabia.

. . . . .

Without speaking here of the imperfections of the firman, of its exclusion of several classes of inhabitants, of the restrictions and difficulties of application met in every line, can it be maintained that the electoral lists just published are even in accordance with the clauses of the firman, if not of those of the Treaty of Paris?

Out of the two thousand great proprietors recognized in Moldavia, only three hundred and fifty electors figure on the lists and, out of twenty thousand small proprietors, only two thousand two hundred and sixty-four have been included as electors of the first degree. The whole class of the liberal professions is represented by eleven electors and the fifteeen thousand citizens in the cities, headquarters of the districts of the Principality, include only 1,788 electors who are householders, merchants and artisans, while on the lists of contributions to the Department of the Treasury alone there figure twelve thousand merchants and artisans, not counting those of the newly acquired territory of Moldavian Bessarabia.

. . . . .

Chiar aceĭ dintre noĭ pe carĭ guvernul 'ĭ a înscris în liste, saŭ de frica unuĭ scandal prea răsunĕtor, saŭ maĭ bine ca o bătae de joc maĭ mult pentru alegĕtoriĭ ceĭ maĭ numeroşĭ pe carĭ 'ĭ-a înlăturat, nu primesc această favoare amăgitoare, şi refusă a lua parte la

Those among us whom the government has entered on the lists, either through fear of too open a scandal, or rather as one more mockery at those even more numerous who are excluded, do not accept this illusory favor and refuse a cooperation, which alegerile de carĭ sunt ameninţaţĭ, fiind-că împărtăşirea lor ar fi o complicitate.

In faţa ţereĭ noastre şi a Europeĭ care, curênd saŭ maĭ târdiŭ, ne va da dreptate, venim dar cu solemnitate a declara că:

Fiind-că s'a depărtat cu grămada o mare majoritate de alegĕtorĭ, sub deosebite deşarte cuvinte, precum de vêrstă, de indigenat, de nedespărţire de moşiĭ etc.;

Fiind-că firmanul s'a călcat, prin înfiinţarea de a dreptul a douĭ deputaţĭ aĭ claseĭ cleruluĭ în persoanele stariţilor monăstirilor Neamţul şi Vorona; . . .

Fiind-că cea maĭ mică ipotecă este privită ca un cuvînt de înlăturare, chiar şi atuncĭ când valoarea moşieĭ ar întrece îndoit şi întreit suma ipoteceĭ, de vreme ce, după firman, numaĭ treĭ sute de fălcĭ se cer a fi libere de o asemenea sarcină;

Fiind-că bărbaţiĭ s'aŭ lipsit de a representa averea de zestre, măcar că firmanul nu coprinde nicĭ o mărginire în această privire;

Fiind-că prerogativa ce caïmacamul arbitrar 'şĭ-a însuşit de a da rangurĭ militare şi titlurĭ de boerie, îĭ slujesce ca mijloc spre a îmmulţi numĕrul alegĕtorilor credincioşĭ în clasa marilor proprietarĭ, precum şi ca mijloc de corupţie;

Fiind-că profesiile liberale s'aŭ înlăturat într'un chip sistematic;

Fiind-că numaĭ micul numĕr de 310 alegĕtorĭ de abia recunoscuţĭ pentru

would be merely complicity, in the elections which confront us.

Before our country and before Europe, which sooner or later will give us justice, we hereby solemnly declare that:

Considering the exclusion *en masse* which has been exercised against the great majority of electors;

Considering that the firman has been violated by the institution of two deputies *de jure* for the clergy of the abbeys of Neamtzo and Vorona, . . .

Considering that the least mortgage is considered as a reason for exclusion, even when the value of the land far exceeds the amount of the mortgage, while, according to the firman, only 300 faltches of land need be free from such a lien;

Considering that the right of the husband to represent the dowry has been taken away, although the firman contains no such exclusion on this point;

Considering that the prerogative which the Caimacam has arbitrarily assumed of conferring military rank and title of boyard, aids him in creating devoted electors among the large proprietors, and is as well a means of corruption;

Considering that the liberal professions have been systematically excluded;

Considering that the small number of three hundred and ten electors, reccapitală a căreia populaţie se sue peste opt-decĭ de miĭ de suflete, puşĭ în alăturare cu numĕrul de 131 de alegĕtorĭ aĭ têrguluĭ Huşĭ, care n'are nicĭ măcar 8,000 locuitorĭ dovedesce îndestul părtinirea şi sistemul de înlăturare ce aŭ predomnit la facerea listelor;

Fiind-că Galaţiĭ, al doilea oraş al Principatelor şi care, după înseşĭ listele guvernuluĭ, are 227 de alegĕtorĭ, s'a desbrăcat de dritul de a alege doĭ deputaţĭ şi aceasta în favorarea Focşanilor care, după însuşĭ aceste liste nu numĕră de cât 92 de alegĕtorĭ, şi că, prin urmare, firmanul s'a călcat prin strămutarea rînduluĭ oraşelor;

Fiind-că, prin mĕsura arbitrarelor depărtărĭ din slujbe, pusă de curênd în lucrare, şi mulţĭ profesorĭ s'aŭ lipsit de dritul lor de alegĕtorĭ;

Fiind-că alegĕtoriĭ oraşelor de religia armenească şi carĭ pururea aŭ luat parte la alegerile municipale, s'aŭ înlăturat din liste în contra firmanuluĭ, care primesce ca alegĕtorĭ, în representaţia oraşelor, pe toţĭ alegĕtoriĭ corpurilor municipale;

Fiind-că un numĕr de alegĕtorĭ înscrişĭ în liste, carĭ aŭ proprietăţĭ în maĭ multe locurĭ, sunt trecuţĭ ca alegĕtorĭ şi eligibilĭ numaĭ în ţinuturile acele unde încunjurările de a fi aleşĭ nu se pare a le fi favorabile;

Fiind-că un mare numĕr de pro-

ognized in the city of Jassy, whose population amounts to above eighty thousand, compared with the one hundred and thirty-one electors of the city of Houschi, which contains not even eight hundred souls, sufficiently proves by itself the partiality and methods of exclusion which have presided over the manufacture of the lists.

Considering that Galatz, the second city of the Principality and, even according to the lists of the government, possessing 227 electors, has been deprived of its right to elect two deputies, in favor of Fokshani which, according to these same lists, contains only 92 electors and that, consequently, the firman has been violated by the inversion of the order of the cities;

Considering that, by means of recent arbitrary removals several professors have been deprived of their rights as electors;

Considering that the municipal electors belonging to the Armenian church, and who have always taken part in the municipal elections, have been excluded from the lists, contrary to the firman which admits as electors in the representation of the cities, all the electors of the municipal body;

Considering that certain electors entered on the lists and possessing property in several localities have been entered as electors eligible only in the districts where the chance of being elected does not appear to be favorable for them;

Considering that a great number of

prietarĭ de case s'aŭ scos din liste, pentru că binalele lor s'aŭ preţuit arbitrar de către municipalităţĭ maĭ jos de valoarea lor reală, şi sub pretext de ipotecă, în contra textuluĭ firmanuluĭ;

Fiind-că toţĭ funcţionariĭ chemaţĭ, după firman, a forma comitele de reclamaţie s'aŭ schimbat;

Fiind-că, chiar înaintea publicaţieĭ listelor, în clasa ţĕranilor, s'aŭ făcut maĭ multe alegerĭ în clasa de gradul I şi de gradul al II, prin mijlocul unor isvoade electorale în care locul numeluĭ aleşilor a rĕmas alb;

Fiind-că aceĭ treĭ delegaţĭ, prin care fie-ce corporaţie are a fi representată la alegerĭ, s'aŭ impus maĭ 'nainte, fără a se fi făcut alegerea lor prin dare de glasurĭ, şi fară nicĭ o publicaţie;

Fiind-că cea maĭ mare parte dintre starostiĭ corporaţiilor s'a schimbat cu câte-va dile înaintea publicaţieĭ listelor, şi că maĭ marele staroste al neguţătorilor din Iaşĭ s'a înlocuit prin un funcţionar, numit d'a dreptul de către guvern;

Fiind-că preoţiĭ, diaconiĭ, dascăliĭ de biserică şi scriitoriĭ satelor, şi prin urmare partea cea maĭ luminată a populaţieĭ săteştĭ, s'aŭ lipsit de dritul de alegere în clasa locuitorilor ţĕranĭ;

Fiind-că adunările alegĕtorilor sunt puse sub presidenţia ispravnicilor, în contra firmanuluĭ şi a art. 9 şi 10 din regulamentul organic;

Fiind-că, afară de gazeta guvernu-

householders have been excluded from the lists because their property has been valued arbitrarily by the municipal official below their real value, and under the pretext of mortgage, contrary to the firman;

Considering that the members of the committees of revision have all been changed;

Considering that even before the publication of the lists several elections in the peasant class have been held, for the first and second degrees, by means of ballots with the places for the names of delegates left blank;

Considering that the three members by which each guild ought to be represented at the elections have been dictated in advance without their having been elected by means of ballot, and without previous notice;

Considering that the greater part of the heads of guilds have been changed some days before the publication of the lists and that the chief provost of the merchants of Jassy has been replaced by an official direct from the government;

Considering that the priests, the deacons, the choristers and the scribes in the country districts, and, consequently, the most enlightened part of the rural population, have been deprived of their right of electors in the class of peasants;

Considering that the electoral colleges are placed under the presidency of the prefects, contrary to the firman and to articles 9 and 10 of the Organic Act;

Considering that, with the excepluĭ, închinată păstrăriĭ statuluĭ-quo, toate jurnalele, chiar sub condiţia de a fi censurate, sunt oprite; că profesiile de credinţă nu sunt învoite, că dritul de a ne aduna ni-s'a contestat; că, în sfîrşit, suntem lipsiţĭ de toate mijloacele neapărate spre a ne putea lumina şi pregăti pentru actul cel maĭ mare în viaţa uneĭ naţiĭ, adică pentru alegerea deputaţilor sĕĭ;

Fiind-că listele electorale nu s'aŭ publicat întocmaĭ precum fuseseră pregătite de către administraţiile ţinute, ci s'aŭ prefăcut şi s'aŭ scurtat în Departamentul din lăuntru, şi apoĭ, chiar când se aflaŭ sub tipar, s'aŭ supus uneĭ a treia prescurtărĭ la care aŭ luat parte d-niĭ caimacamul şi agentul Austrieĭ;

Fiind, în sfîrşit, câ aceste liste nu înfăţişează nicĭ de cum majoritatea claselor societăţeĭ Moldoveĭ şi că Divanul ce ar resulta din viitoarele alegerĭ, nu poate nicĭ într'un chip a constitui representaţia legală şi exactă a intereselor tuturor claselor, precum cere hotărît art. 24 din Tratatul de Paris;

Subscrişiĭ se vĕd în dureroasa nevoe de a se retrage de la orĭ-ce împărtăşire la nisce alegerĭ făcute sub jugul înşelăciuniĭ, al împilăriĭ şi al nedreptăţiĭ. . . .

(Urmează miĭ de subscrierĭ.)

tion of the government gazette, devoted to the maintenance of the *status quo,* all the newspapers, even under the censorship, are forbidden, that professions of faith are prohibited, that our right of public meeting is opposed, that, finally, we are deprived of all the suitable means for informing ourselves and preparing ourselves for the exercise of that most important act in the life of a nation, the elections of its representatives;

Considering that the electoral lists have not been published at all, as they were prepared by the district administrators, but that they have been modified and sorted in the Ministry of the Interior and thereupon, still under pressure, they have been submitted to a third sorting in which the Caimacam and the Austrian representative have taken part;

Considering finally that these lists in nowise represent the majority of the classes of Moldavian society and that the Divan which will result from them in the coming elections cannot constitute the legal and exact representation of the interests of all the classes, as is categorically ordered by Article 24 of the Treaty of Paris;

The undersigned find themselves under the grievous necessity of refraining from all participation in the elections held under the auspices of pressure, injustice, and fraud. . . .

(Thousands of signatures are appended.)

## *Memorandum Interpreting the Firman of Convocation of the Divans ad hoc. June* 11/17, 1857 [1]

Pour ce qui concerne le 1-er point, les prêtres, le texte du Firman dit, art. 1-er :

" Et les prêtres, remplissant à un titre quelconque les fonctions de leur ministère dans le chef-lieu de chaque Evêché, se réuniront sur la convocation de leurs Evêques diocésains, pour nommer également parmi eux un député au Divan par diocèse."

Par conséquent, la Commission pense que les fonctionnaires ecclésiastiques au siège de la Métropole et de chaque Evêché et les curés des paroisses de la ville chef-lieu de l'Evêché, à l'exception de ceux exclus par des raisons canoniques, sont de droit électeurs, mais que les protopopes (archiprêtres) et les proestoti (aides des archiprêtres), qui exercent leurs fonctions dans le diocèse, sans résider dans le chef-lieu, ne peuvent par jouir du droit d'électeurs.

Cependant la Commission fait observer, qu'il reste à savoir si les fonctionnaires ecclésiastiques au siège de la Métropole et les curés de paroisse de la ville chef-lieu du diocèse sont les seuls prêtres au chef-lieu auxquels se rapportent les termes du Firman cidessus mentionnés, question qui peut être résolue par une entente entre le Caïmacam et le Métropolitain.

Quant à la seconde question, relative

Concerning the first point, namely, the priests, the text of the Firman says, in Article 1 :

"And the priests, fulfilling under whatever title the functions of their ministry in the headquarters of each bishopric, shall meet on convocation by their diocesan bishops, to name by dioceses one from among their own number as deputy to the Divan."

Consequently, the Commission thinks that the ecclesiastical functionaries at the seat of the Metropolitan of each Bishopric and the curés of the parishes of the city which is the headquarters of this bishopric, with the exception of those excluded for canonical reasons, are electors of right, but that protopopes (arch-priests) and the proestoti (aids to the arch-priests) who exercise their functions in the diocese, without residing in the headquarters, may not enjoy electoral rights.

However, the Commission observes that it remains to ascertain whether the ecclesiastical functionaries at the seat of the Metropole and the parish curés of the city which is the headquarters for the diocese are the only priests at the headquarters to whom the terms of the Firman above mentioned apply, a question which may be settled by an agreement between the Caïmacam and the Metropolitan.

As for the second question, relating

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[1] *Acte si documente, renascerei Romaniei,* vol. 6, part 2, p. 423. Annex to protocol No. 6.

au domicile, la Commission partage l'avis du Caïmacam.

A l'égard des Grands Boyards (3-ème question), qui ne sont pas astreints à la condition du domicile, la Commission pense que tout Grand Boyard, possesseur de la propriété requise selon le Firman dans un district, peut être élu dans tout district dont les électeurs voudraient bien le nommer pour leur représentant.

Pour ce qui concerne le 4-ème point — les biens dotaux — la Commission, considérant les dispositions du chap. 16 § 10 de la section 3 du Code civil et considérant qu'en Valachie les biens dotaux ont de tout temps conféré aux maris les droits politiques attachés à la propriété, adhère à l'avis émis par le Caïmacam.

Se référant aux explications présentées par le Chef du Gouvernement valaque au sujet du 5-ème point — c'est-à-dire les preuves de l'étendue des terres,— la Commission est convaincue de l'impossibilité d'appliquer littéralement le Firman en Valachie pour ce qui concerne la détermination de l'étendue des terres. Elle approuve donc l'idée du Caïmacam, de parvenir au même résultat par les moyens les plus pratiques et les mieux appropriés aux circonstances locales, et quant au choix de ces moyens, la Commission le réserve au Gouvernement valaque, comme à l'autorité la plus compétente.

A l'égard du 6-ème point,— le maximum de 99 faltches,— la Com-

to domicile, the Commission shares the opinion of the Caïmacam.

Regarding the great boyards (the 3d question) who are not limited by the restriction as to domicile, the Commission believes that each great boyard, owner of the amount of property in one district required by the firman, may be elected in each district where the electors wish to name him as their representative.

As for the 4th point,— the dedicated lands — the Commission, considering the provisions of Chapter 16, par. 10, of Section 3 of the civil code, and considering that in Wallachia the dedicated lands have at all times bestowed on married men the political rights attached to property, agrees with the opinion expressed by the Caïmacam.

Referring to the explanations presented by the head of the Wallachian government on the subject of the 5th point — that is to say the evidence as to the amount of property — the Commission is convinced of the impossibility of applying the Firman literally in Wallachia in so far as it concerns the determination of the amount of property. It therefore approves this idea of the Caïmacam, of arriving at the same result by the means the most practiced and the best suited to the local circumstances, and as to the choice of means, the Commission reserves this to the Wallachian Government, as being the most competent authority.

With regard to the 6th point,— the maximum of 99 *faltches,*— the Commission observe que, selon les termes du Firman, les propriétaires non-Boyards ou fils de Boyards, possédant plus de 99 faltches de terre, seraient exclus de la représentation nationale. Mais vu les raisons présentées par le Directeur du Secrétariat d'Etat sur l'impossibilité de fixer le maximum selon le Firman et vu qu'il paraît improbable que le Firman ait voulu exclure de la représentation les propriétaires non-Boyards ou fils de Boyards possédant au-delà du maximum précisé, tandis qu'il accorde ce droit à ceux dont la possession n'atteint pas le dit maximum, elle adhère à l'interprétation proposée par le Caïmacam.

Quant à la représentation de la petite propriété, la Commission fait remarquer que l'introduction des Boyards dans la classe des petits propriétaires ne serait pas en harmonie avec une représentation par classes, attendu que les intérêts des différentes classes peuvent être sous quelques points en lutte. Mais comme l'opinion du Caïmacam paraît conforme au sens littéral de la phrase du Firman (art. 3) : " tous les propriétaires, sous quelque dénomination que ce soit," la Commission adhère à cette opinion.

Quant au 7-ème point, relatif aux portions de terres non continues, sises dans le même district, la Commission partage l'opinion du Caïmacam.

Pour ce qui concerne le 8-ème point, qui se rapporte au passage du Firman :

mission observes that, according to the terms of the firman, the proprietors not boyards or sons of boyards, possessing more than 99 *faltches* of land, were excluded from the national representations. But in view of the reasons presented by the Director of the Department of State on the impossibility of fixing the maximum according to the Firman, and in view of the fact that it appears improbable that the Firman meant to exclude from representation the proprietors not boyards or sons of boyards, possessing more than the precise maximum, while it accords this right to those whose property does not equal the said maximum, it adheres to the interpretation proposed by the Caïmacam.

As for the representation of the class of small proprietors, the Commission draws attention to the fact that the introduction of the boyards into the class of small proprietors would not be in harmony with a representation by classes, since the interests of the different classes might be in conflict on some points. But as the opinion of the Caïmacam appears to conform to the literal meaning of the clause of the Firman (Art. 3.) : " All the proprietors, under whatever denomination," the Commission adheres to this opinion.

As for the 7th point, relating to the properties not situated in the same district, the Commission agrees with the opinion of the Caïmacam.

Concerning the 8th point, which relates to the passage of the Firman :

" Ils y éliront à la majorité des voix deux députés au Divan parmi ceux d'entre eux qui justifieront de la possession, libre de toute charge hypothécaire, d'un immeuble de 200 faltches au moins ou l'équivalent en pogones de terres exploitées et en rapport," la Commission est d'avis que la prescription, qui oblige les éligibles à présenter une déclaration de dégrèvement, comme elle dépend entièrement de l'arbitraire du créancier, pourrait donner lieu à des abus ou à des difficultés dans l'exécution, le créancier pouvant se trouver hors du pays ou bien refusant le dégrèvement pour une somme insignifiante d'une propriété de grande valeur. En principe, une propriété, dont la valeur réele, après avoir couvert la dette hypothécaire, offrirait un excédent correspondant à la propriété exigée par les prescriptions du Firman, devrait accorder le droit d'éligibilité. Tout en reconnaissant que l'application pratique de ce principe offre des difficultés, la Commission est d'avis, d'après les informations qu'elle a été dans le cas de recueillir, qu'un des moyens à adopter serait celui d'estimer la valeur de la terre d'après son revenu. Cette opération servirait en même temps, selon la localité, à déterminer approximativement l'étendue de la terre. Quant à l'évaluation, on pourrait se conformer au principe généralement admis dans les estimations judiciaires, qui établit la valeur d'une terre sur le taux de 5% de revenu. La Commission espère qu'il sera d'autant plus facile, dans le cas actuel, d'arriver

" They shall there elect by majority vote two deputies to the Divan from among those who shall prove possession, free from all mortgage, of real property of 200 *faltches* at least or the equivalent in *pogones* of land cultivated and under crop," the Commission is of the opinion that the prescription which obliges those qualified to present a release of lands from encumbrance, as it depends entirely on the will of the creditor, could occasion abuses or difficulties of execution, as the creditor may be out of the country, or may refuse release of a property of great value for an insignificant sum. In principle, a property whose real value, after having covered the mortgage, would offer an excess corresponding to the property required by the provisions of the Firman, ought to carry with it the right of eligibility. While recognizing that the practical application of this principle offers difficulties, the Commission is of the opinion, according to information which it has had occasion to collect, that one of the means to adopt would be that of estimating the value of the land according to its revenue. This operation would serve at the same time, according to locality, to determine approximately the extent of the land. As for the valuation, one might conform to the principle generally admitted in the judicial estimates which establishes the value of a property on the rate of a 5% revenue. The Commission hopes that it will be the easier in the actual case, to arrive thus at a satisfactory re-

ainsi à un résultat satisfaisant, que les travaux préparatoires doivent être déjà faits dans les administrations, par suite de la publication du Ministère de l'Intérieur en date du 21 Mars dernier, laquelle prescrivait, entre autres, de spécifier, autant que faire se pourra, le revenu constaté par les taxes des chaussées et le payement des redevances à l'Etat ou bien par un contrat de bail.

En ce qui touche le 9-ème point — les professeurs d'Etat,— la Commission se range de l'avis du Caïmacam.

Pour ce qui concerne le 10-ème point — les avocats,— les termes du Firman exigent un diplôme régulier. Mais de tels diplômes n'existant pas dans le pays, il est indispensable d'aviser à un autre moyen propre à réaliser l'idée du Firman. Toutefois, le projet du Caïmacam paraît de nature à rendre nécessaires des explications, car il semble à la Commission que, d'après ce projet, le Département de la Justice pourrait donner le caractère d'avocat à tout individu, qui aurait plaidé, soit sa propre cause, soit par procuration une cause quelconque. Or, le Règlement Organique, art. 129, fait une distinction entre les avocats reconnus et les personnes qui, sans être avocats, plaident parfois devant les tribunaux. Il spécifie clairement le procédé, par lequel on doit devenir avocat reconnu. La loi de l'année 1836, qui a été adoptée par l'Assemblée générale de la même année, établit aussi ce principe. Par conséquent, la Commission, étant obligée à se ren-

sult, as the preparatory work ought to be already done in the administrative bodies, according to the publication of the Minister of the Interior under date of March 21 last, which provided, among other things, the specification, as far as possible, of the revenue as shown by the road taxes and the payment of the State taxes or by the terms of a lease.

As regards the 9th point,— the State professors — the Commission agrees with the opinion of the Caïmacam.

Concerning the 10th point,— the lawyers — the terms of the firman require a regular diploma. But as such diplomas do not exist in the country, it is indispensable to agree on another means calculated to achieve the purpose of the Firman. However, the proposal of the Caïmacam appears to be of such a nature as to necessitate explanations, for it seems to the Commission that, according to this proposal, the Department of Justice could bestow the character of lawyer on any individual who had pleaded, whether in his own cause, or any cause whatever, by power of attorney. But the Organic Statute, Article 129, makes a distinction between the recognized lawyers and the persons who, without being lawyers, sometimes plead before courts. It clearly specfies the procedure by which to become a recognized lawyer. The law of 1836, which was adopted by the general assembly of the same year, established this principle also. Conse-

fermer aussi strictement que possible dans le sens précis du Firman, est d'avis que le Département de la Justice ne doit délivrer de certificat d'électeur dans la catégorie des avocats qu'à ceux qui ont exercé depuis trois ans au moins la profession d'avocat, selon les prescriptions du Règlement Organique et de la loi du pays.

Quant au 11-ème point — les commerçants,— le Firman accorde les droits d'électeur aux négociants patentés des trois classes inscrits sur les dernières listes préparées pour l'élection des municipalités. La Commission, d'après les informations qu'elle a été dans le cas de recueillir, observe qu'il n'y a point de liste pour les électeurs de la municipalité, qui sont choisis par les députés des quartiers, lesquels, à leur tour, sont élus d'après une loi spéciale. L'élection ayant ainsi lieu à deux degrés, le Caïmacam propose de substituer aux électeurs des municipalités des électeurs des députés des quartiers. Ce mode, quelqu'imparfait qu'il soit, paraît cependant le plus pratique pour tourner la difficulté. Il est vrai que, pour être inscrit comme électeur des députés des quartiers, il faut être propriétaire; mais comme le cens électoral dans cette catégorie est extrêmement modique, il est présumable, selon les mœurs du pays, que le plus grand nombre des patentés indiqués par le Firman est en même temps propriétaire. Il ne resterait qu'une seule remarque à faire, au

quently, the Commission being obliged to limit itself as strictly as possible to the precise meaning of the Firman, is of the opinion that the Department of Justice ought not to deliver an electoral certificate, under the category of lawyers, except to those who have practiced the legal profession for a period of three years at least, according to the provisions of the Organic Statutes and of the law of the land.

As for the 11th point,— the tradesmen,— the firman grants electoral rights to the licensed tradesmen of the three classes registered on the last lists prepared for the municipal elections. The Commission, according to information which it has had occasion to collect, observes that there is no list of electors for the Municipality, who are chosen by the deputies of the districts, who, in their turn, are elected according to a special law. The election having thus taken place in two stages, the Caïmacam proposes to substitute for the electors for the Municipality, the electors for the deputies for this district. This method, however imperfect it may be, appears nevertheless to be the most practical means of solving the difficulty. It is true that, to be registered as an elector for district deputies, one must be a landowner; but as the electoral census is in this case extremely moderate, it is presumable, according to the custom of the country, that the greatest number of those licensed as indicated by the Firman are also landowners. There remains but one remark to

sujet de l'âge; on est électeur de quartier à l'âge de 25 ans. Il faudra, par conséquent, éliminer de ces listes ceux qui n'ont pas l'âge de trente ans, requis par le Firman.

make on the subject of age; one becomes an elector for the district at the age of 25. It is necessary, consequently, to eliminate from these lists those who have not reached the age of thirty, as required by the Firman.

## *Form of Certificate of Election Prescribed by the Moldavian Government, June* 12/24, 1857 [1]

### Certificat

Locuitoriĭ pontașĭ din satul . . . . , ținutul . . . ocolul . . . , astăḍĭ în . . a luneĭ . . . . 1857, consfătuinlu-se, aŭ ales douĭ delegațĭ de ântâiul grad, și anume pe . . . . . . . . . . . și . . . . . . potrivițĭ cu articolul 4 al împĕrătesculuĭ firman; despre care s'a dat acest certificat, adeverit de vornicul, pacĭniciĭ și preotul satuluĭ și punerea pecețiĭ sătescĭ.

### Certificate.

The peasants residing in the town of . . . . , district of . . . , arrondissement of . . . , today the . . . , of the month of . . . . 1857, having consulted together, have elected two delegates of the first degree, namely . . . . . and . . . . . , in accordance with Article 4 of the Imperial Firman; in token of which the present certificate has been delivered, certified by the *vornic,*[2] the *patchinics* [3] and the priest of the town, as well as by the affixing of the town seal.

## *Identic Note Sent to the Porte by the Representatives of France, Prussia, Russia and Sardinia. June* 25, 1857 [4]

(*Extrait*)

" Ils ne peuvent s'empêcher d'exprimer à la Sublime-Porte la surprise avec laquelle ils apprennent de quelle manière on continue à procéder, en

(*Extract*)

" They can not restrain themselves from expressing to the Sublime Porte the surprise with which they learn the manner in which the execution of the

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[1] *Acte si documente, renascerei Romaniei,* vol. 5, p. 969.

[2] The mayor.

[3] The justice of the peace.

[4] *Arch, dip.,* 1866, pt. 2, p. 63.

Moldavie, à l'exécution du Firman; c'est toujours le même système d'intimidation ouverte, de pression violente. C'est pourquoi il n'est pas de la dignité de la commission, émanation elle-même du Congrès de Paris, de se mettre en rapport avec un Divan qui ne sera pas composé de manière à pouvoir passer pour la véritable expression des vœux et des besoins du pays, et qui répondra si mal aux intentions du Congrès de Paris à cet égard.

" La Sublime-Porte repousse, il est vrai, toute solidarité, sous ce rapport, avec ses agents de Moldavie; mais cette déclaration ne suffit pas à l'exonérer de la responsabilité qui pèsera réellement sur elle, en cette circonstance, tant qu'elle n'aura pas désavoué formellement ces mêmes agents et ne les aura pas obligés de modifier leur conduite."

. . . . .

Firman in Moldavia continues to proceed; there is still the same system of open intimidation, of violent pressure. That is why it does not accord with the dignity of the commission, itself an emanation from the Congress of Paris, to assume relations with a Divan which will not be constituted in such a way as to pass for the true expression of the wishes and needs of the country, and which will so poorly answer to the intentions of the Congress of Paris in this regard.

" The Sublime Porte, it is true, denies all joint responsibility with its agents in Moldavia, in this matter; but this statement is not sufficient to exonerate it from the responsibility which will actually rest upon it, in these circumstances, so long as it shall not have formally disowned these same agents, nor have obliged them to modify their conduct."

. . . . .

## *Protest and Resignation of Alexander Couza as Prefect of Galatz, June 24/July* 6, 1857 [1]

Escelenţă.

Strigările şi jeluirile cetăţenilor de toate clasele din Galaţĭ, nu maĭ puţin şi a locuitorilor întreguluĭ ţinut, pentru ameninţările ce li se fac de către samişul ţinutuluĭ şi întreg comitetul alegerilor pentru divanul ad-hoc, spre a ĭ spăĭmânta, şi cu aşa chip a le înăduşi sloboda espresie în dreptăţile hărăsite prin înaltul firman pentru convocarea Divanuluĭ ad-hoc, găsin-

Excellency,

The claims and complaints of the citizens of all classes of the city of Galatz, as well as those of the inhabitants of this district, occasioned by the threats made to them by the receiver-general of the district and by the committee of revision for the election for the Divan *ad hoc,* for the purpose of intimidating them in order to deprive them of or to abolish the

[1] *Acte si documente, renascerei Romaniei,* vol. 5, p. 47.

du-le basate pe adevĕrurĭ, iar urmările tuturor funcţionarilor, chiemaţĭ prin posturile ce ocupă, la lucrările prescise prin pomenitul înalt firman, abătute de la glăsuirea legilor.

1° Publicarea listelor schimosite prin adăogirĭ de persoane şi ştergerea acelor trecute în listele trămise de isprăvnicie şi primite de la privighetorĭ şi eforie.

2° Schimbarea fără motiv a privighetorilor vrednicĭ si cu caracter cinstit şi înlocuirea lor prin persoane, în toate privirele, nedestoĭnice şi primejdiose într'un timp aşa de gingaş şi critic pentru ţară.

3° Sistemul terorismuluĭ ce, de la lipsa iscălituluĭ din oraş, se aplică în deobştie precum, de pildă, călcarea locuinţeĭ d-luĭ stolnic Ghiţă Alevra în puterea nopţiĭ, de către d. samiş, d. maior Christea, şi poliţmaistrul oraşuluĭ, în temeiul offisuluĭ Exc. V., slobozit după spusa numituluĭ maior, pe când iscălitul se afla în oraşul Iaşĭ (însă, tăĭnuit, precum Exc. V. nu veţĭ putea tăgădui şi cu reson ascuns de mine, căcĭ aşĭ fi fost stavila unor aşa nedreptăţĭ şi nicĭ odată unealtă ruşinoasă a ocârmuireĭ).

4° Procedarea nelegiuită a comitetuluĭ de alegerĭ prin respingerea ce

right of free speech granted them by the firman of convocation, are founded on right and truth and the acts of all the officials, called on by their office to cooperate in the work, are contrary to law and to the said firman. These acts are:

1. The publication of the lists distorted by the admission of certain individuals, the striking out of those entered on the original lists received from the sub-prefect and the municipal council and sent by the prefecture;

2. The removal without cause of the sub-prefects of worthy and upright character and the substitution, at such a critical moment for the country, of individuals incapable and dangerous, according to all reports.

3. The system of terrorism generally adopted in the district, since the absence of the undersigned from the city. Such, for example, is the case of the violation of the domicile of the *stolink* Zhitza Alevra, made by night by the receiver general, Major Christé, and the police commissioner of the city. This act, ordered by a decree of Your Excellency and reported by the Major, was accomplished, as Your Excellency can not deny, in a mysterious manner and at a moment when the undersigned was at Jassy. It was concealed from me and with reason, for I should have been an obstacle in the way of such illegal acts and should never have consented to be the shameful instrument of the government.

4. The illegality of the work of the committee of revision which refuses

face tuturor persoanelor cu drepturĭ, fără a li se arăta resoanele pentru carĭ se resping, saŭ cel puţin a li se da adeverinţe de primirea reclamaţielor, precum s'a urmat cu răzeşiĭ de Smulţĭ şi maĭ mulţĭ boerĭ.

5° Debataţiele comitetuluĭ închipuite, iar în adevĕr şi în faptă, plinirea unor disposiţiĭ afară din textul firmanuluĭ.

6° Inlăturarea de la comitet a iscălituluĭ şi trimiterea sa cu misiĭ în Basarabia Moldovană, tocmaĭ în timpul unor asemenea delicate împrejurărĭ şi când, după glăsuirea înaltuluĭ firman, urma neapărat a se afla faţă şi a presida acel comitet.

7° La opt mahalale întregĭ ridicate drepturile hărăzite prin înaltul firman, când eĭ sunt trecuţĭ în listele alegerilor eforieĭ. Asemenea desfiinţarea cu desĕvêrşire a corporaţiilor neguţătorilor din picioare, asemenea a treĭ delegaţĭ bresleĭ de covacĭ, când starostiĭ lor sunt publicaţĭ, ş. c. l., ş. c. l.

Toate acestea fiind lovitoare, pe de o parte, în dreptăţile pămêntenilor, iar, pe de alta, în înţelesul înaltuluĭ firman basat pe Tratatul de Paris, şi după arătarea verbală ce am făcut atât Exc. V. cât si d-luĭ ministru din lăuntru spre stavilirea lor, socotindu-le provenite numaĭ de la amploiaţiĭ subalternĭ;

the demands of those having the right, without giving them reasons and even without at least notifying them of the receipt of their claims. Such is the treatment given to the small proprietors of Smoultzi; and to a crowd of boyards.

5. The committee made a show of debating over its resolutions, but, in sober fact, it has only applied dispositions wholly outside the firman.

6. The withdrawing of the undersigned from the committee and the sending of him on a mission to Moldavian Bessarabia at precisely such a crucial time, and when, according to the firman, he is obliged to be present and to preside over the committee.

7. The deprivation of eight entire districts of the city of their political rights, although they are recognized in the electoral lists of the municipality; further, the absolute omission of the guild of travelling merchants and the erasure of three delegates from the guild of farriers, although their provosts are entered, etc., etc.,

All these acts are on the one hand an infringement on the rights of the citizens, and on the other hand, they violate the text of the firman, based on the treaty of Paris; and, as in spite of the formal reports which I have addressed concerning them with the purpose of preventing them, both to Your Excellency and to the Minister of the Interior,— in the conviction which I was under that these acts were merely the work of subordinates — I see that no measures have been taken to this effect, and that as an-

ne-vĕdênd însă nicĭ o mĕsură luată, iar mĕsurile inspăĭmîntătoare predomnind şi sporind în tot ţinutul Covurluiuluĭ, mĕ vĕd silit, cu o vie părere de rĕŭ, in potriva dorinţeĭ şi datorieĭ ce am a sluji Patrieĭ într'o vreme aşa de gingaşe, şi a vĕ cere demisionarea mea de la funcţia de pârcălab, fiind o tristă povară sub un asemenea sistem.

(semnat) Al. Couza, major adjutant domnesc.

swer, the measures of intimidation continue and are only doubled;

I am obliged, in spite of my deep regret and my duty to serve my country at such a critical time, to tender you the resignation of my office as prefect (parcalab) which is too burdensome a charge under such a system.

(Signed) Al. Couza, Major, Senior Aide-de-Camp.

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### *Notes of Lord Stratford de Redcliffe and Baron Prokesch-Osten to Reschid Pacha Opposing Adjournment of the Moldavian Elections. July* 18, 1857 [1]

I

Leurs Excellences l'ambassadeur d'Angleterre et l'internonce d'Autriche, s'étant rendus au *ïali* (maison de campagne) de Son Altesse le grand vizir, où se trouvait également le ministre des affaires étrangères, Reschid-Pacha, saisit cette occasion pour leur exposer ce qui suit:

Les efforts de la Sublime-Porte pour aplanir le différend qui s'est élevé relativement aux élections de Moldavie, étant restés infructueux, et les dépêches télégraphiques parvenues aux ambassadeurs de France et d'Angleterre étant susceptibles d'une interprétation divergente, au sujet de l'entente entre les Gouvernements français et anglais sur l'ajournement à huit jours des élections, ajournement

I

Their Excellencies the Ambassador of England and the Internuncio of Austria, having repaired to the *ïali* (country house) of His Highness the Grand Vizier, where was also Reschid-Pacha, the Minister for Foreign Affairs, seized this occasion to make a statement to them as follows:

The efforts of the Sublime Porte to smooth away the difference which has arisen regarding the Moldavian elections having continued to be unsuccessful, and the telegraphic dispatches reaching the Ambassadors of France and of England being susceptible of different interpretations on the subject of the agreement between the French and English Government as to the eight day adjournment of the elec-

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[1] *Arch. dip.*, 1866, pt. 2, p. 64.

qui expire aujourd'hui, la Sublime-Porte propose un nouveau délai de quinze jours, pour avoir le temps d'obtenir, par le télégraphe, des éclaircissements sur cette entente.

## II

L'ambassadeur d'Angleterre et l'internonce d'Autriche, tout en rendant justice à la Sublime-Porte pour ses efforts tendant à concilier le différend qui a surgi au sujet des élections de Moldavie, efforts auxquels il a été pleinement répondu de leur part, rappellent les inconvénients qui résulteraient d'un pareil retard, et regrettent que l'on ait refusé le meilleur moyen d'entente à cet égard.

L'ambassadeur d'Angleterre déclare, en son particulier, que le sens des dépêches lui semble suffisamment clair, et qu'il n'en appert nullement que l'idée d'un nouvel ajournement des élections soit dans la contemplation (*sic*) de son gouvernement. L'internonce d'Autriche partage sur ce point l'opinion de son collègue d'Angleterre. En conséquence, ils ont conclu, l'un et l'autre, que la Porte ne peut pas accorder un nouvel ajournement, sans sortir de la position qui lui est assignée par le principe du traité de Paris, œuvre commune des puissances, et ils ajoutent qu'ils ne reculent devant aucune responsabilité qui rejaillirait pour la Porte de ce refus d'ajournement.

*Emirghian, le* 18 *juillet* 1857.

L. Stratford de Redcliffe.
Baron De Prokesch Osten.

tions, an adjournment which expires today, the Sublime Porte suggests a new delay of fifteen days, in order to have the time to obtain by telegraph some enlightenment as to this agreement.

## II

The Ambassador of England and the Internuncio of Austria, while doing justice to the Sublime Porte for its efforts to conciliate the difference which has arisen on the subject of the Moldavian elections, efforts to which there has been full response on their part, recall the inconveniences which would arise from such a delay, and regret that the best means of agreeing on this point have been refused.

The Ambassador of England declares for his part, that the meaning of the dispatches seems sufficiently clear, and that he finds there nothing to show that a new adjournment of the elections is contemplated by his government. The Internuncio of Austria shares on this point the opinion of his colleague of England. Consequently they have both concluded that the Porte can not grant a new adjournment without forsaking the position assigned to it by the principle of the Treaty of Paris, a common work of the Powers, and they add that they do not flinch before any responsibility which might reflect on the Porte from this refusal to adjourn.

*Emirghian, July* 18, 1857.

L. Stratford de Redcliffe.
Baron de Prokesch-Osten.

## *Address of the Metropolitan of Moldavia to the European Commission at Bucharest, July* 10/22, 1857[1]

A la haute Commission européenne à Bucarest.

Je reçois, de la part des membres du clergé, de nombreuses plaintes et réclamations à l'occasion des élections faites dans des conditions qui sont aussi loin de répondre au respect dû à la volonté des grandes Puissances signataires du Traité de Paris qu'aux droits reconnus à toutes les classes de la population de la Moldavie. Ne disposant d'aucun moyen d'y faire droit et les trouvant cependant dignes d'être prises en très sérieuse considération, je crois de mon devoir de les adresser à la haute Commission, en la priant de vouloir bien prendre la défense des droits d'un corps respectable dont les vœux pour le bonheur de la Patrie ne sauraient librement se manifester.

J'ai l'espoir que l'intervention de la haute Commission ne tardera pas d'apporter un souverain remède à un mal qui fait saigner de douleur notre cœur de Moldave et de chef spirituel du pays.

To the High European Commission at Bucharest.

I am in receipt of numerous complaints and claims made by members of the clergy regarding the elections held under conditions which are as far from coinciding with the respect due to the wish of the great Powers signatory to the Treaty of Paris, as they are from the recognized rights of all the classes of the population of Moldavia. Without any means of righting them and finding them nevertheless worthy of being taken under very serious consideration, I believe it to be my duty to forward them to the High Commission, with the request that it will be good enough to undertake the defence of the right of a respectable body whose desires for the welfare of the mother country are prevented free expression.

I entertain the hope that the intervention of the High Commission will not delay in bringing a sovereign remedy to an evil which causes the heart of a Moldavian and of the spiritual head of the country to bleed with sorrow.

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## *Identic Note of Aali-Ghalib Pacha to the Representatives of France, Prussia, Russia and Sardinia. July* 30, 1857[1]

J'ai reçu la note que Votre Excellence m'a fait l'honneur de m'adresser

I have received the note which your Excellency has done me the honor to en date du 28 juillet, pour réclamer l'annulation immédiate et absolue des élections moldaves, et je me suis fait un devoir empressé de soumettre cette note à l'appréciation de S. M. I. le Sultan, mon auguste souverain.

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[1] *Acte si documente, renascerei Romaniei,* vol. 5, 1890, p. 228.

[1] *Arch. dip.*, 1866, pt. 2, p. 69.

Votre Excellence connaît déjà par la note officielle et responsive que j'ai eu l'honneur de lui adresser, en date du 28 juillet, que la Sublime-Porte, comme puissance cosignataire du Traité de Paris, ne peut pas sortir des limites tracées par ce même traité, et prendre sur elle seule la responsabilité d'une grande mesure aussi peu de sa portée que celle d'annuler les élections. Mais, dans son désir franc et sincère d'exécuter loyalement, pour ce qui le regarde, l'acte du Congrès de Paris et de repousser tout ce qui sera reconnu comme illégal, le gouvernement impérial est d'avis que ce serait à la conférence de Paris d'examiner si les élections moldaves ont été légales ou irrégulières, et de se prononcer à cet égard. Cet avis de la Sublime-Porte est exactement le même que Votre Excellence a maintes fois émis de vive voix, qu'il appartiendra à la conférence de Paris d'examiner et de juger les affaires de cette nature.

Le gouvernement de S. M. I. le Sultan, . . . ne ferait pas d'objections à l'ajournement de la convocation des Divans, jusqu'à ce que la conférence de Paris se soit prononcée à cet égard. . . .

. . . . .

address me under date of July 28, to demand the immediate and absolute annulment of the Moldavian electors, and I hasten to submit this note to the notice of H. I. M. the Sultan, my august sovereign.

Your Excellency is already aware, from the official reply which I have had the honor to address to you under date of July 28, that the Sublime Porte, as a power cosignatory to the Treaty of Paris, can not exceed the limits set by the said treaty and take on itself alone the responsibility of a great measure so little within its authority as that of annulling the elections. But, in frank and sincere desire loyally to execute, in all concerning it, the act of the Congress of Paris, and to repulse all that which will be recognized as illegal, the Imperial Government is of the opinion that it is for the Conference of Paris to examine whether the Moldavian elections have been legal or irregular, and to pronounce on this point. This opinion of the Sublime Porte is exactly the same as that which Your Excellency has many times uttered with great force, that it should belong to the Conference of Paris to examine and to judge as to matters of such a nature.

The Government of H. I. M. the Sultan . . . would make no objection to the adjournment of the convocation of the Divans, until the Conference of Paris shall have pronounced itself on this subject. . . .

. . . . .

## *Decree of the Caimacam of Wallachia Regarding Registration*[1]

Ofisul Caimacamuluĭ Valahieĭ, A. Ghica, No. 1,068, din 18 (30) Iulie 1857. Bucurescĭ.

Noĭ, Prinţul Alecsadru Dimitrie Ghica caimacamul ţĕreĭ Românescĭ. Către Departamentul din lăuntru.

Vĕdênd raportul aceluĭ Departament cu No. 5,623 din 17 Iulie, prin care ni se arată că listele celor în drept de a fi alegĕtorĭ și aleșĭ s'au întocmit și s'aŭ tipărit, spre a putea fi publicate, și că urmează, de-odată cu publicarea și afișarea lor, să se întocmească și comitetele prevĕḑute prin art. 5 al înaltuluĭ împĕrătesc firman.

Noĭ poruncim:

Art. I. Aceste liste electorale se vor publica îndată și se vor afișa în orașele și satele districtuluĭ la carĭ ele privesc, publicându-se treptat și prin " Buletinul oficial."

Art. II. Comitetele însărcinate cu cercetarea reclamaţiilor vor începe lucrările lor la 22 Iulie.

Aceste comitete vor fi compuse, în fie-care district, de către membriĭ și un supleant al consiliuluĭ municipal al orașuluĭ de reședinţă, și de către membriĭ Tribunaluluĭ judeţuluĭ, sub președinţa administratoruluĭ, ast-fel ca complectul fie-căruĭ comitet să fie de nouĕ membriĭ.

Office of the Caimacam of Wallachia, A. Ghica, No. 1,068, July 18/30, 1857.

We, Prince Alexander Dimitrie Ghica, Caimacam of Wallachia. To the Department of the Interior.

In view of the report of this Department, No. 5,623, dated July 17/29, by which it is brought to our notice that the electoral lists have been drawn up and printed, for the purpose of being published, and that, simultaneously with the publication and posting of these lists the committees provided by Article 5 of the imperial Firman should be constituted.

Decree:

Article I. The electoral lists shall be published immediately and posted in the cities and towns of the respective districts. They shall also be made public by means of the " Buletinul oficial."

Article II. The committees entrusted with the examination of complaints shall begin their labors on July 22/August 3.

These Committees shall be composed, in each district, of the members of the municipal council of the chief city and a substitute, as well as of the members of the tribunal of the district, under the presidency of the prefect, in such manner that the complement of each committee shall be nine members.

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[1] *Acte si documente, renascerei Romaniei,* **vol. 5, p. 308.**

In Bucurescĭ comitetul va fi compus de membriĭ Consiliuluĭ municipal şi de membriĭ tribunaluluĭ civil sesţia I, şi se va presida, pentru reclamaţiile privitoare la proprietariĭ de moşiĭ, de către administratorul districtuluĭ; iar, pentru reclamaţiile asupra listelor din oraş, comitetul va fi presidate de către vornicul oraşuluĭ.

Art. III. Hotărârile comitetuluĭ se daŭ cu majoritatea glasurilor, carĭ trebue să fie cel puţin de cincĭ.

Art. IV. Persoanele carĭ ar reclama înscrierea lor, ca netrecute în liste, dintr'o pricină saŭ alta, trebue să arate desluşit, în reclamaţia d-lor, temeiurile pe carĭ cer a fi înscrise şi acea reclamaţie trebue să cuprindă şi declaraţie că persoana subscrisă nu este trecută în vre-un alt judeţ.

Celor carĭ, după raportul acestuĭ Departament, n'aŭ corespuns la chemarea ce li s'a făcut de a'şĭ alege domiciliul, măcar că cu aceasta a adus întârdiere la lucrarea listelor, li se maĭ acordă-încă un termen de ḑece ḑile de la 22 Iulie înainte, spre îndeplinirea acesteĭ formalităţĭ; iar, după espirarea acestuĭ termen, vor fi consideraţĭ că 'şĭ-aŭ ales domiciliul acolo unde se află acum înscrişĭ.

Art. V. Preşedintele comitetuluĭ va însemna îndată pe reclamaţie ḑiua în care are a se înfăţişa reclamantul spre dovedirea drepturilor sale şi re-

At Bucharest the committee shall be composed of the members of the municipal council and the members of the first section of the civil tribunal and shall be presided over, when considering all protests concerning the landed proprietors, by the prefect of the district and, in all concerning the lists of the cities, by the mayor of the city.

Article III. The decisions of the committee shall be taken by majority vote, the number of members voting being five at least.

Article IV. The persons who, not having been inscribed on the electoral lists, for whatever reason, shall claim the right to be so inscribed, shall make a concise statement of the rights on which they base their claims. Moreover, each claim shall bear the formal declaration of the claimant to the effect that he is not listed in any other district.

As for those persons who, according to the report of the Department of the Interior, have not satisfied the obligation imposed on them of choosing a domicile, although they have by so doing delayed the preparations of the lists, they shall nevertheless be accorded a period of ten days, dating from July 22, in which to comply with this formality. On the expiration of this period they shall be considered to have elected their domicile in the district where they are actually listed.

Article V. The president of the committee shall indicate on each claim, on its presentation, the day on which the claimant shall present himself be-

clamantul va iscăli că i-s'a arătat ḑiua hotărâtă spre înfăţişare.

Art. VI. După espirarea termenuluĭ de 30 de ḑile, nu se va maĭ putea primi nicĭ o reclamaţie.

Departamentul din lăuntru este însărcinat a aduce la îndeplinire cuprinderea acestuĭ al nostru ofis, dându-ĭ şi cuviincoasa publicitate. Se va înţelege şi cu acela al dreptăţiĭ pentru membriĭ tribunalelor de judeţe, spre a lua parte la lucrările la care se chem.

(Urmează semnătura Măriеĭ Sale)

Secretarul Statuluĭ Al. Dimitrescu.

fore the committee in order to prove his right; the claimant shall, for his part declare over his own signature that he has been notified of the day of appearance.

Article VI. On the expiration of the period of thirty days no more claims shall be accepted.

The Department of the Interior is charged with the execution and publication of the present decree. It shall act jointly with the Department of Justice in all that concerns the members of the tribunals called to take part in the work of the committees.

(Signed) Mariei Sale.

Secretary of State, Al. Dimitrescu.

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### *Identic Note of Aali Pacha to the Representatives of France, Prussia, Russia and Sardinia* [1]

*Constantinople,* 4 *août* 1857.

Les graves communications que vous, M......., ainsi que trois autres chefs de mission, nous avez faites en dernier lieu, relativement aux élections de Moldavie, ont été prises en très-sérieuse considération par les ministres de la Sublime-Porte, et portées à la connaissance de Sa Majesté le Sultan.

. . . . .

Le gouvernement impérial se croit justifié en ne modifiant pas un principe fixé en commun, aussi longtemps qu'une entente entre tous ne sera pas

*Constantinople, August* 4, 1857.

The grave communications which you, M. ........, as well as the three other heads of missions have made to us on the last occasion, regarding the elections in Moldavia, have been taken under very serious consideration by the ministers of the Sublime Porte and brought to the knowledge of His Majesty the Sultan.

. . . . .

The Imperial Government believes itself to be justified in not modifying a principle which has been fixed in common, so long as an agreement be-

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[1] *Arch. dip.*, 1866, pt. 2, p. 70. This reply of the Porte being unsatisfactory, diplomatic relations between Turkey and France, Prussia, Russia and Sardinia were broken on August 5 and 6.

établie; mais il déclare sincèrement, dès à présent, que, s'il est constaté d'une manière officielle et légale que les illégalités dont on se plaint, dans l'exécution des ordres de Sa Majesté le Sultan, ont été réellement commises par les agents de la Sublime-Porte qui étaient chargés de cette exécution, il n'hésitera pas à remplir, en pareil cas, les devoirs de justice qui lui incombent.

Néanmoins, la Sublime-Porte espère fermement que vous reconnaîtrez aussi de votre côté, M....., qu'avant de prendre une mesure d'une aussi évidente gravité, elle est dans l'obligation de vérifier et constater de quelle façon il a été procédé à l'exécution de ses propres ordres; et, comme le moyen le plus facile de pratiquer cette enquête lui semble être d'appeler ici les caïmacans, en leur qualité de chefs des administrations provisoires chargés de l'exécution des ordres dont il s'agit on leur écrirait de se rendre aussitôt à Constantinople, en confiant a un *békil* (substitut) l'administration temporaire du pays.

A leur arrivée ici, les caïmacams seraient interrogés sur leur conduite, en ce qui touche la manière dont ils ont rempli les ordres qu'ils étaient chargés d'exécuter, et, après les investigations les plus minutieuses, un examen sérieux et approfondi, le résultat de l'enquête serait soumis au jugement équitable des légations des hautes puissances contractantes.

tween all shall not have been established; but he declares sincerely that from the present, if it is proved in an official legal manner that the illegalities complained of in the execution of the orders of His Majesty the Sultan have been really committed by the agents of the Sublime Porte, who were entrusted with the execution, it will not hesitate to carry out, in such a juncture, the measures of justice which are necessitated by it.

Nevertheless the Sublime Porte firmly hopes that you will recognize on your side, M. . . . that before taking a measure of such obvious gravity, it is under the obligation to verify and establish the question of how the execution of its order has been proceeded with; and, as the easiest means of proceeding with this inquiry seems to it to be to summon the Caïmacams here, in their quality of heads of the provisional administration charged with the execution of the orders which are in question, they shall be instructed to repair at once to Constantinople, leaving to a *vékil* (substitute) the temporary administration of the country.

On their arrival here, the Caïmacams shall be interrogated concerning their conduct, in all that touches the manner in which they have carried out the orders which they were instructed to execute, and after the most minute investigations and a serious and profound examination, the result of the inquiry shall be submitted to the equitable judgment of the legations of the high contracting powers.

S'il est donc officiellement prouvé que des illégalités ont eu lieu, la Sublime-Porte, pas plus que toute autre des puissances contractantes, ne saurait admettre des élections entachées d'illégalité, et elle se fait un devoir de déclarer dès aujourd'hui qu'en pareil cas elle se croit fondée à les annuler.

. . . . .

*Signé:* AALI.

If it is then officially proved that illegalities have taken place, the Sublime Porte can, no more than any other contracting power, admit elections tainted with illegality, and it makes it its duty to declare from today that in such a case it believes itself justified in annulling them.

. . . . .

*Signed:* AALI.

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## *Manifesto of the Central Committee of Bucharest (Wallachia). August* 3/15, 1857[1]

En vertu des anciens droits de notre pays, droits consacrés par les Capitulations que nos princes moldaves et valaques ont conclues avec la Sublime-Porte, et en conséquence du Traité de Paris du 18/30 mars 1856, voulant conserver dans toute leur intégrité ces droits de nos ancêtres, qui forment les bases de notre autonomie, et respecter en même temps les droits de suzeraineté de la Sublime-Porte, stipulés par lesdites Capitulations, nous pouvons résumer ainsi nos vœux:

1° Garantie de notre autonomie et de nos droits internationaux, tels qu'ils ressortent des Capitulations des années 1393, 1460 et 1513; conclus entre les pays roumains et la puissance suzeraine; de plus, neutralité du territoire moldo-valaque;

2° Union de Valachie et de la Moldavie en un seul État et sous un seul Gouvernement;

In virtue of the ancient rights of our country, rights consecrated by the Capitulations which our Moldavian and Wallachian princes concluded with the Sublime Porte, and in consequence of the Treaty of Paris of the 18/30 of March, 1856, and wishing to conserve in all their integrity these rights of our ancestors, which form the basis of our autonomy, and at the same time respect the rights of suzerainty of the Sublime Porte, stipulated by the aforesaid Capitulations, we may thus summarize our wishes:

1. A guarantee of our autonomy and of our international rights, as they are set forth in the Capitulations of the years 1393, 1460 and 1513, concluded between the Roumanian countries and the suzerain power; further, neutrality of the Moldo-Wallachian territory;

2. The Union of Moldavia and Wallachia into a single State and under a single Government;

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[1] *Arch. dip.*, 1866, pt. 2, p. 73. The date is August 3, O. S.

3° Prince étranger héréditaire, qui serait choisi dans une dynastie régnante de l'Europe, et dont les héritiers, nés dans le pays, seraient élevés dans la religion du pays;

4° Gouvernement représentatif avec une seule assemblée générale, selon les anciens usages. Cette assemblée serait le produit d'un corps électoral, formé d'après un système assez large pour que les intérêts de toutes les classes de la société y fussent représentés.

Telles sont les bases sur lesquelles nous croyons qu'il est possible d'établir l'organisation politique des deux Principautés roumaines.

Les réformes intérieures seraient faites par l'assemblée générale, composée d'après le principe exposé au quatrième point et qui se réunirait après l'établissement de la future constitution des deux pays.

Toutefois, nous déclarons que notre profession de foi peut se résumer dans ces principes:

Respect du droit de propriété, de quelque nature que ce soit;

Égalité de tous les Roumains devant la loi;

Liberté individuelle et liberté du travail pour le paysan.

Convaincus que, sur les quatre bases ci-dessus spécifiés, repose l'existence politique et nationale de notre patrie, nous, soussignés, investis du droit électoral, devant confier le sort du pays à des députés au Divan *ad hoc,* nous engageons à ne donner nos suffrages qu'à ceux-là seulement qui, avant le jour du scrutin, auront dé-

3. A foreign hereditary Prince, who should be chosen from a reigning European dynasty, and whose heirs, born in the country, should be brought up in the religion of the country.

4. A representative Government with a single general assembly, according to the ancient custom. This assembly should be the result of an electoral body, formed upon a system sufficiently broad so that the interests of all classes of society would be represented therein.

Such are the bases upon which we believe that it is possible to establish the political organization of the two Roumanian Principalities

Internal reforms should be made by the general assembly, constituted upon the principle set forth in the fourth point, and which would meet after the establishment of the future constitution of the two countries.

At the same time, we declare that our profession of faith may be summed up in these principles:

Respect for the rights of property of any kind whatsoever;

Equality of all Roumanians before the law;

Individual liberty and liberty of the peasant to work.

Convinced that upon the four bases above stated rests the political and national existence of our country, we, the undersigned, invested with the right of suffrage, wishing to confide the destiny of the country to the deputies to the Divan *ad hoc,* pledge ourselves to give our votes to those only who, before the day of election, shall

claré, par écrit, qu'ils adhèrent à ces quatre bases, qu'ils les soutiendront en toute conscience et voteront, dans le Divan *ad hoc,* à visage découvert et non par bulletin secret.

Les membres des comités réunis:

*Présidents:* C. Crezsulesco — L. Calendaroglou.

*Vice-présidents:* A. Golesco — C. Boasiano — N. Christou.

*Membres:* P. Poenario — J. J. Philippesco — E. Predesco — G. Iorano — P. J. Cernetesco — J. Penesco — N. Nenovicz — C. Racovizza — A. Oresco — Costaphorou — Kirilov — Kouloglou — A. Petresco — G. Romanov — Polichroniadi.

*Bucharest,* 3/15 *août* 1857.

have declared in writing that they adhere to these four bases, that they will support them conscientiously and that they will vote in the Divan *ad hoc,* openly and not by secret ballot.

Members of the united committees:

*Presidents:* C. Crezsulesco — L. Calendaroglou.

*Vice-presidents:* A. Golesco — C. Boasiano — N. Christou.

*Members:* P. Poenario — J. J. Philippesco — E. Predesco — G. Iorano — P. J. Cernetesco — J. Penesco — N. Nenovicz — C. Racovizza — A. Oresco — Costaphorou — Kirilov — Kouloglou — A. Petresco — G. Romanov — Polichroniadi.

*Bucharest,* 3/15 *August* 1857.

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## *Dispatches of Aali Pacha to the Caimacam of Moldavia, Ordering a New Election* [1]

*Constantinople, le* 24 *août* 1857.

La Sublime-Porte, en vertu d'une entente établie entre elle et les six puissances consignataires du Traité de Paris, vous ordonne:

1° D'annuler les élections qui ont eu lieu dans cette province;

2° De reviser les listes électorales sur la base suivante, savoir: l'application des inteprétations données en Valachie à quelques points douteux du Firman électoral, dans les cas absolument identiques, sauf les cas particuliers à la Moldavie.

3° De procéder aux nouvelles élec-

*Constantinople, August* 24, 1857.

The Sublime Porte, by virtue of an agreement established between it and the Six Powers, cosignatories to the Treaty of Paris, orders you:

1. To annul the elections which have taken place in this Province;

2. To revise the electoral lists on the following basis, that is to say: the application of the intepretations given in Wallachia to several doubtful points of the electoral Firman, in cases absolutely identical, save in the cases peculiar to Moldavia;

3. To proceed with new elections,

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[1] *Arch. dip.,* 1866, pt. 2, p. 74.

tions, à l'expiration de quinze jours, à dater de la réception de cet ordre.

*Constantinople* 31 *août* 1857.

Monsieur le Prince, ma dépêche télégraphique du 24 de ce mois vous a fait connaître la résolution prise par la Porte, en conséquence d'une entente entre elle-même et les six autres puissances qui ont signé le Traité de Paris, pour annuler les élections de la Moldavie.

Par votre dépêche du 25, nous avons appris quelle promptitude vous avez mise à exécuter l'ordre de S. M. le Sultan.

Je n'ai rien à ajouter relativement aux instructions données dans mon message indiqué ci-dessus.

Quant au mode d'exécution, je juge aussi de mon devoir de faire connaître à Votre Excellence l'opinion réelle de la Sublime-Porte sur la question.

Avant tout, j'ai l'honneur de vous informer que le Gouvernement impérial est aussi jaloux de ses droits imprescriptibles et est aussi déterminé à les maintenir, qu'il a à cœur de remplir les devoirs qui résultent de ses engagements.

La Sublime-Porte ne peut donc pas avoir d'autre désir que de voir accomplir, avec la plus grande droiture et la plus grande fidélité, la partie de ses engagements dont l'exécution est confiée à des autorités qui tiennent d'elle leur mandat.

Nous sommes d'opinion qu'afin de réaliser ce désir, Votre Excellence ne peut faire mieux que de suivre lit-

on the expiration of fifteen days, dating from the reception of this order.

*Constantinople, August* 31, 1857.

Prince, my telegraphic despatch of the 24th of this month has acquainted you with the resolution taken by the Porte to annul the elections in Moldavia in consequence of the agreement between it and the six other Powers which have signed the Treaty of Paris.

By your dispatch of the 25th, we have learned with what promptness you have put in execution the order of His Majesty the Sultan.

I have nothing to add with regard to the instructions given in my message cited above.

As to the method of execution, I judge it to be also my duty to acquaint your Excellency with the real opinion of the Sublime Porte on the question.

I have, first of all, the honor of informing you that the Imperial Government is as jealous of its imprescriptible rights and as determined to maintain them, as it has the desire at heart to fulfil the obligations which result from its engagements.

The Sublime Porte can, therefore, have no other desire than to see accomplished, with the greatest directness and fidelity, the part of its engagements whose execution is confided to the authorities who hold from it their mandate.

We are of the opinion that, in order to realize this desire, your Excellency can not do better than to follow litertéralement les instructions du Firman relatives aux élections, avec les interprétations qui lui ont été données pour la Valachie, instructions dont l'application a été décrétée par toutes les puissances, dans des circonstances semblables, en Moldavie. De cette façon, la responsabilité de Votre Excellence sera à couvert, et la Sublime-Porte sera extrêmement charmée d'apprendre que vous avez rempli ses intentions.

La Porte, monsieur le Prince, compte, dans cette importante affaire, sur votre dévouement aux intérêts de l'Empire en général et à ceux de la Principauté en particulier.

*Signé:* AALI

ally the instructions of the Firman regarding the elections, with the interpretations given to it for Wallachia, instructions which, it has been decreed by all the Powers, shall be applied to analogous circumstances in Moldavia. In this way the responsibility of your Excellency shall be protected and the Sublime Porte will be extremely charmed to learn that you have carried out its intentions.

The Porte, Prince, in this important matter, counts on your devotion to the interests of the Empire in general, and to those of the Principality in particular.

*Signed:* AALI.

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## *Vote of Union with Wallachia Passed by the Divan ad hoc of Moldavia, October 7,* 1857 [1]

### Procès-verbal No. 7

" Adunarea *ad-hoc* a Moldoveĭ, păşind pe calea ce i s'a prescris de către Tratatul de Paris, adecă începênd a rosti dorinţele ţĕriĭ,— în faţa luĭ Dumnedeŭ şi a oamenilor, în toată curăţenia cugetuluĭ, neavênd în privire de cât drepturile şi folosul naţiĕĭ române, declară că cele întâĭ, cele maĭ marĭ, maĭ generale şi maĭ naţionale dorinţĭ ale ţeriĭ sunt:

" 1. Respecterea drepturilor Principatelor, şi în deosebĭ a autonomiei lor, în cuprinderea vechilor lor Capi-

### Formal Minute No. 7

" The Divan of Moldavia *ad hoc,* proceeding in the manner prescribed for it by the Treaty of Paris, that is, beginning with an expression of the desires of the country, before God and mankind, in all clearness of conscience, having nothing in view but the rights and the welfare of the Rumanian Nation, declares that the foremost, the greatest, the most general, and the most national desires of the country are:

" 1. Respect for the rights of the Principalities and especially of their autonomy, including their ancient

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[1] *Acte si documente renascerei Romaniei,* vol. 6, pt. 1, p. 68.

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| tulaţiĭ încheiate cu Inalta Poartă în aniĭ 1393, 1460, 1511 şi 1634. | Capitulations concluded with the Sublime Porte in the years 1393, 1460, 1511, and 1634. |
| " 2. Unirea Principatelor într'un singur Stat sub numele de România. | " 2. Union of the Principalities in a single State under the name of Rumania. |
| " 3. Prinţ străin cu moştenirea tronuluĭ, ales dintr'o dinastie domnitoare de ale Europeĭ, şi aĭ caruĭ moştenitorĭ să fie crescuţĭ in religia ţeriĭ. | " 3. A hereditary foreign Prince, elected from one of the reigning dynasties of Europe, his heirs to be reared in the religion of the land. |
| " 4. Neutralitatea pămîntuluĭ Principatelor. | " 4. The neutrality of the territories of the Principalities. |
| " 5. Puterea legiuitoare încredinţată uneĭ obşteştĭ Adunărĭ, în care să fie representate toate interesele natieĭ. | " 5. A legislative power intrusted to general Assemblies, in which all the interests of the Nation shall be represented. |
| " Toate aceste sub garanţia colectivă a Puterilor care aŭ subscris Tratatul de Paris." | " All this under the joint guarantee of the Powers which signed the Treaty of Paris." |

### *Vote of Union with Moldavia Passed by the Assembly ad hoc of Wallachia, October* 9, 1857 [1]

| Procès-verbal No. 6 | Formal Minute No. 6 |
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| " Astăḑdĭ, 9 Octombrie, anul 1857, Adunarea ad-hoc, adunându-se în sala şedinţelor sale, a votat în unanimitate următoarea formulă: | " To-day, October 9, 1857, the Divan *ad hoc,* convened in the hall of sessions, unanimously adopted the following resolution: |
| " Ne unim în principiŭ cu următoarele patru punturĭ: | " We are united, in principle, on the following four points: |
| " 1. Chezăşuirea autonomieĭ şi a drepturilor noastre internaţionale, după cum sunt hotărîte amîndouĕ prin Capitualaţiile din aniĭ 1393, 1460, şi 1513, încheiate între ţările române cu Inalta Poartă suzerană; precum şi neutralitatea teritoriuluĭ moldo-român. | " 1. The guarantee of our autonomy and of our international rights, as both the former and the latter are defined by the Capitulations of the years 1393, 1460, and 1513, concluded between the Rumanian countries and the Suzerain Sublime Porte; as well as the neutrality of the Moldavian-Rumanian territory. |

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[1] *Acte si documente renascerei Romaniei,* vol. 6, pt. 2, p. 43.

“ 2. Unirea ţĕrilor România şi Moldova într'un singur Stat şi sub un singur Guvern.

“ 3. Principe străin cu moştenirea tronuluĭ, ales dintr'o familie domnitoare d'ale Europeĭ, aĭ căruia moştenitorĭ născuţĭ în ţeară am dori să fie crescuţĭ in religia ţĕriĭ.

“ 4. Guvern constituţional representativ, şi, după datinele cele vechĭ ale ţĕriĭ, o singură Adunare obştească, care va fi întocmită pe o basă electorală îndestul de largă, în cât să represente interesele generale ale populaţieĭ române.”

Eminenţia Sa Presidentul convocă apoĭ Adunarea pentru Vinerĭ la 10 ore, spre a proceda la alegerea uneĭ comisiunĭ pentru facerea unuĭ memorandum către Comisia europeană asupra acestor patru punturĭ votate de Adunarea întreagă.

După aceasta, d-l *Ioan Brătianu* propuse:

“ 1. Ca cancelaria Aundăriĭ să facă maĭ întâiŭ o adresă către Comisia internaţională, prin care să-ĭ facă conoscut votul Adunăriĭ şi recunoscinţa Românilor către toate Puterile garante.

“ 2. Să se facă o adresă, care să se trimită fraţilor noştri Moldovenĭ, spre a-ĭ felicita de iniţiativa ce aŭ luat şi a le face cunoscut că, urmând şi noĭ pe calea ce eĭ ne-aŭ arătat, nu vom maĭ fi în viitor decât un singur trup, precum furăm şi vom fi un singur suflet.”

“ 2. The union of Rumania and Moldavia in a single State under a single Government.

“ 3. A hereditary foreign prince, elected from one of the reigning families of Europe, whose heirs, born in this country, we should like to have reared in the religion of the land.

“ 4. A representative constitutional Government and, according to the ancient usages of the country, a single General Assembly organized on a sufficiently broad electoral basis to represent the general interests of the Rumanian people.”

Thereupon His Eminence the President called a meeting of the Assembly on Friday at 10 o'clock for the purpose of proceeding to elect a committee to draw up a memorandum for the European Commission in regard to the four points adopted by the whole Assembly.

Mr. *John Bratianu* then proposed:

“ 1. That the secretary of the Assembly first of all address a communication to the International Committee, informing it of the vote of the Assembly and expressing to it the gratitude of the Rumanians toward all the guaranteeing Powers.

“ 2. That a communication be addressed to our Moldavian brethren in order to congratulate them on their initiative and in order to make known to them that we, following also in the path which they pointed out to us, shall never in future be aught but a single body, just as we have been and shall be a single soul.”

Adunarea aprobă în unanimitate, însărcinând biuroul pentru redacţia acestor adrese.

The Divan unanimously approved the foregoing and instructed the secretary to prepare the communication in question.

## *Extracts from Report on the Reorganization of the Principalities of Moldavia and Wallachia, Addressed to the Congress of Paris by the European Commission. April 7,* 1858[1]

### Constatation des vœux émis par les Divans *ad-hoc* de Valachie et de Moldavie.

La Commission instituée par l'art. 23 du Traité de Paris, pour préparer les bases de la future organisation des Principautés danubiennes, a été chargée par l'instruction du Congrès de prendre en considération l'opinion émise par les Divans convoqués dans chacune de ces Principautés.

La Commission a donc cru devoir aborder sa tâche par l'examen des vœux du Divan de Valachie, qui a mis fin à ses travaux le 26 (14) Décembre 1857.

Les députés valaques se sont bornés à formuler et à développer les quatre points suivants, exposés dans le procès-verbal No. VII:

"I. Garantie de l'autonomie et des droits internationaux, tels qu'ils sont, l'une et les autres, définis par les Capitulations entre les pays roumains et la Sublime Porte Suzeraine dans les années 1393, 1460, et 1513; ainsi que la neutralité du territoire moldo-roumain.

### Statement of the votes given by the Divans *ad hoc* of Wallachia and Moldavia.

The Commission instituted by Article 23 of the Treaty of Paris, to prepare the bases of the future organization of the Danubian Principalities, has been charged by instruction of the Congress to take into consideration the opinion uttered by the Divans convoked in each of these Principalities.

The Commission has therefore thought that it should begin its task by the examination of the votes of the Divan of Wallachia, which ended its labors on December 14/26, 1857.

The Wallachian deputies limited themselves to formulating and developing the four following points, reported in formal minute No. VII:

"I. Guarantee of autonomy and of international rights, as they are both defined by the Capitulations between the Rumanian countries and the Sublime Porte as Suzerain in the years 1393, 1460 and 1513; as well as the neutrality of the Moldo-Rumanian territory.

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[1] *Acte si documente,* vol. 6, pt. 2, p. 559.

" II. L'Union de la Roumanie en un seul Etat et sous un seul Gouvernement.

" III. Prince étranger avec l'hérédité du trône, élu dans une des dynasties régnantes de l'Europe, dont les successeurs, nés dans le pays, seraient élevés dans la religion du pays.

" IV. Gouvernement constitutionnel représentatif, et, conformément aux anciens usages du pays, une seule Assemblée générale, qui soit assise sur une large base électorale, de manière à représenter les intérêts généraux de la population roumaine."

Ici la Commission doit constater, en premier lieu, la position qui lui est faite par les circonstances dans lesquelles elle se trouve placée. Les instructions ultérieures, que les Commissaires ont reçues de leurs Gouvernements, les mettant dans l'impossibilité de discuter les questions auxquelles se rapportent précisément les vœux ci-dessus mentionnés, il en résulte que la Commission ne peut aborder dans son rapport collectif aucune des questions, sur lesquelles ont exclusivement porté les votes du Divan valaque.

Il n'est pas non plus de la compétence de la Commission de constater, si la manière de procéder du dit Divan et si les Règlements adoptés pour la marche de ses débats sont conformes ou non aux prescriptions du Firman de convocation; car elle n'a pris aucune part à l'élaboration de ce docu-

" II. The Union of Rumania in a single State and under a single Government.

" III. A heriditary foreign prince elected from one of the reigning dynasties of Europe, whose successors, born in the country, should be brought up in the religion of the country.

" IV. A representative constitutional government, and, in conformity to the ancient customs of the country, a single general assembly, to be founded on a broad electoral basis, in such a manner as to represent the general interests of the Rumanian people."

Here the Commission must, in the first place, state the position fixed for it by the circumstances in which it finds itself placed. The last instructions which the Commissioners have received from their Governments, placing them beyond the possibility of discussing the questions to which the statements above mentioned precisely relate, it follows that the Commission can not approach in its collective report any one of the questions upon which the votes of the Wallachian Divan exclusively bear.

Nor is it any more within the competence of the Commission to discuss whether the manner of procedure of the said Divan and the regulations adopted for the conduct of its debates, are in conformity with the prescriptions of the Firman of convocation or not; for it has taken no part ment et son mandat ne l'a point autorisée à en interpréter le sens.

Le Mémorandum du Divan valaque forme une annexe au présent rapport; ce document mérite, en raison de son importance, d'être consulté et apprécié dans son ensemble; il parait donc superflu d'entrer ici dans une récapitulation minutieuse de son contenu, ainsi que de faire une analyse générale des actes et des délibérations enregistrés dans les procès-verbaux de l'Assemblée.

Aussi, la Commission, ne pouvant franchir les limites imposées par les observations qui précèdent, se bornera à signaler brièvement les faits suivants, sans toutefois prétendre diminuer l'importance de ceux dont elle s'abstient de faire une mention spéciale.

Le Mémorandum du Divan valaque fait valoir:

1. Que les Principautés ont toujours respecté les liens qui les rattachent à l'Empire ottoman et il déclare que la reconnaissance de leurs droits ne peut qu'augmenter la force de cet Empire.

2. Il définit la nature des liens, qui existent entre la Sublime Porte et les Principautés, en cherchant également à établir quels sont les droits de ces Principautés. . . .

3. En demandant l'Union des Principautés comme une satisfaction à accorder aux vœux du pays et comme un moyen d'en augmenter les ressources, le Mémorandum fait valoir les rivalités et les jalousies des fa-

in the elaboration of this document and its mandate has not at all authorized it to interpret its sense.

The Memorandum of the Wallachian Divan forms an appendix to the present report; this document deserves, by reason of its importance, to be consulted and estimated in its entirety; it therefore appears superfluous to enter here into a minute recapitulation of its contents, as, likewise to make a general analysis of the acts and deliberations recorded in the proceedings of the Assembly.

Moreover, the Commission, being unable to overstep the limits imposed by the preceeding observations, will confine itself to pointing out briefly the following facts, without however pretending to diminish the importance of those of which it abstains from making special mention.

The Memorandum of the Wallachian Divan sets forth:

1. That the Principalities have always respected the ties which bind them to the Ottoman Empire and declares that the recognition of their rights can only augment the power of this Empire.

2. It defines the nature of the ties which exist between the Sublime Porte and the Principalities, while also seeking to establish what are the rights of these Principalities. . . .

3. In demanding the Union of the Principalities as a satisfaction to be accorded to the wishes of the country and as a means of augmenting its resources, the Memorandum lays stress on the rivalries and jealousies of the

milles indigènes, pour conclure à l'impossibilité d'un Gouvernement stable d'un de leurs membres et prouver la nécessité impérieuse de placer sur le trône de la Moldo-Valachie un Prince issu d'une des maisons souveraines de l'Europe. . . .

4. Le Divan établit, en vertu des Capitulations déjà invoquées le droit de la nation d'élire ses Princes où bon lui semble et de les déclarer héréditaires. Cependant les hautes Puissances étant plus compétentes à faire ce choix, il exprime sa confiance dans leur sagesse et se montre persuadé que l'élu du Congrès sera accueilli comme s'il était l'élu de la nation elle-même.

. . . . .

Passant à l'étude des actes du Divan moldave, qui n'a clos ses travaux que le 21 Décembre 1857 (2 Janvier 1858), la Commission constate, d'abord, que cette Assemblée a suivi au début une marche analogue à celle adoptée par le Divan de Valachie, en formulant ses vœux dans les cinq points suivants:

"I. Le respect des droits des Principautés et particulièrement de leur autonomie, d'après la teneur de leurs anciennes Capitulations, conclues avec la S. Porte en 1393, 1460, 1511 et 1634.

"II. L'Union des Principautés en un seul Etat, avec le nom de Roumanie.

"III. Un Prince étranger héréditaire, élu parmi les dynasties rég-

native families, in order to deduce the impossibility of a stable government by one of their members and to prove the imperative necessity of placing on the throne of Moldo-Wallachia a Prince who is the issue of one of the sovereign houses of Europe. . . .

4. The Divan establishes, in virtue of the Capitulations already invoked, the right of the nation to elect its Princes wherever it thinks best and to declare them hereditary. Nevertheless the great Powers being more competent to make this choice, it expresses its confidence in their wisdom and shows itself to be persuaded that the elect of the Congress will be received as though he were elected by the nation itself.

. . . . .

Passing to the examination of the acts of the Moldavian Divan, which only closed its labors the 21st of December, 1857 (January 2d, 1858), the Commission asserts, first, that this Assembly followed in the beginning a course analogous to that adopted by the Divan of Wallachia by formulating its wishes in the five following points:

"I. Respect for the rights of the Principalities and particularly for their autonomy, according to the tenor of their ancient Capitulations concluded with the Sublime Porte in 1393, 1460, 1511 and 1634.

"II. Union of the Principalities in a single State, with the name of Rumania.

"III. An hereditary foreign Prince elected from among the reign-

nantes de l'Europe et dont les héritiers seront élevés dans la religion du pays.

"IV. Le neutralité du territoire des Principautés.

"V. Le pouvoir législatif confié à une Assemblée générale. . . .[1]

Fait à Bucarest, le 7 Avril (26 Mars) 1858.

(Signés:) Liehmann, Talleyrand, H. L. Bulwer, Richthofen, Basily, Benzi, E. Safvet.

. . . . .

ing dynasties of Europe, and whose heirs shall be brought up in the religion of the country.

"IV. Neutrality of the territory of the Principalities.

"V. Legislative power intrusted to a general assembly. . . .[1]

Done at Bucharest, March 26/April 7, 1858.

(Signed:) Liehmann, Talleyrand, H. L. Bulwer, Richthofen, Basily, Benzi, E. Safvet.

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## *Vote of Wallachia Electing Alexander John Couza Prince of Wallachia, January* 24, 1859[2]

Principatele Unite. Adunarea electivă a Ţĕreĭ Româneştĭ.

Astăzĭ, Sâmbătă, in 24 Ianuarie, Adunarea electivă procedând la vot pentru alegerea Domnuluĭ sĕŭ, resultatul a fost că, cu unanimitate, s'a ales Alexandru Ioan I Cuza, Domnul actual al Moldaveĭ, şi s'a proclamat Domn şi al Ţĕreĭ Româneştĭ. Se constată acest resultat sub iscălitura preşedinteluĭ şi ale secretarilor.

*Preşedintele* (subscris),
Nifon, Mitropolit.
*Secretariĭ* (subscrisi),
A. Arsache,
I. Cantacuzino,
D. Brătianu,
S. Fălcoianu.

The United Principalities.
Elective Assembly of Rumania.

To-day, Saturday, January 24, the Elective Assembly having proceeded to vote for the purpose of electing its Prince, the result was that Alexander John I Cuza, present Prince of Moldavia, was unanimously elected and proclaimed Prince also of Rumania. In witness whereof the signatures of the President and of the Secretaries are hereunto affixed.

(Signed) Nifon Mitropolit,
*President.*
A. Arsache,
I. Cantacuzino,
D. Bratianu,
S. Falcoianu,
*Secretaries.*

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[1] There follows a discussion of each of the points of the Moldavian vote regarding internal questions, with recommendations by the Committee.

[2] *Acte şi documente renascerei Romaniei,* vol. 8, p. 593. From the formal minute of the Assembly.

# THE IONIAN ISLANDS, 1863

## *Vote of the Ionian Assembly for Union with Greece. January* 27, 1859[1]

. . . The Assembly of the Seven Islands proclaims that the sole and unanimous will (θέλησις) of the Ionian people has been, and is, the union of the Seven Islands with Greece..

A committee of eleven members shall be appointed to submit to the chamber its opinion on the ulterior measures suitable to the proclamation of union this day adopted in the Assembly.

## *Petition of the Ionian Assembly to the Queen, January* 30, 1857

To Her Majesty Victoria I., the most gracious Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, and Protectress of the United States of the Ionian Islands, &c.

May it Please Your Majesty,

The people of the seven islands having always kept in vigour the idea of its nationality, and desiring its union with free Greece, approaches with reverence your most mighty throne, that it may lay upon the steps thereof the authentic manifestation of this ever-glowing sentiment.

In the midst of the tribulations which have afflicted the Hellenic race, the Ionian people has both preserved, throughout, its civilisation, and has maintained all along both its nationality and its independence.

The treaty contracted at Paris, on the 5th November, 1815, without the intervention of the Ionian people, by which that people was placed under the British Protectorate, had no other view than the preservation of a small country, which is both recognized and declared in this treaty as a single, free, and independent state.

To this purpose tend the duties assumed by the Protecting Power under the treaty, and the political relations arising out of them between Great Britain and the protected people. But after the establishment of the kingdom of Greece, the reason failing which suggested these relations, there sprung up spontaneously an ardent desire on the part of the Ionians for their political union with the liberated portion of the nation to which they are indissolubly bound by descent, religion, language, recollections, and unbounded sacrifices in a holy cause.

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[1] From the "Mission of Rt. Hon. W. E. Gladstone to Ionian Islands, 1858," *British Parliamentary Papers* [2891], 1861, vol. 67, p. 61.

From this irrepressible sentiment flowed the obstructed manifestations of the ninth Parliament, and the unanimous desire expressed by the eleventh Parliament on the 20th June, 1857. Of this same ardent feeling and desire of the entire Ionian people, his Excellency too, the High Commissioner Extraordinary whom your Majesty has been pleased to dispatch to the Seven Islands, has received authentic proofs.

Setting out from considerations such as these, the representatives of the Ionian people, in their parliamentary sitting of 15/27 January, 1859, proclaimed with one voice, that "the single and unanimous disposition (*θέλησις*) of the Ionian people has been, and is, for the union of the whole of the Seven Islands with the kingdom of Greece."

The Ionian Assembly, submitting these representations, prays your Majesty to be pleased to communicate this declaration to the other Great Powers of Europe, and to cooperate with them to give effect to the sacred and just desire of the Ionians.

The representatives of the Ionian people have a cheerful hope that the Divine Grace which once armed the right hand of Britain on behalf of the Hellenic nation, may again inspire your Majesty, so that by your mighty aid this people may attain to its national reestablishment, and that ties, springing out of profound gratitude and unalterable sympathy, may bind the hearts of the Hellenic nation to the throne of your Majesty.

(Signed) D. FLAMBURIARI, *President.*
N. LUSI.
J. DUSMANI,
*Secretaries.*

*Corfu, January* 18/30, 1859.

### *Address of the Lord High Commissioner on Delivering the Reply of the Queen to the Petition of the Assembly. February,* 1859[1]

MR. PRESIDENT AND GENTLEMEN,

I have received, under date of 2d February, the answer of the Protecting Sovereign to the petition of the Legislative Assembly of the Ionian State for the union with Greece; as well as Her Majesty's commands to make it known without loss of time, and in the most solemn manner, to the Legislative

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[1] "Ionian Islands," *British Parliamentary Papers,* 1861, vol. 67 [2891], p. 66. At the same session a scheme for reforms in administration and legislative procedure was presented by the Lord High Commissioner.

Assembly and to the Ionian people, in order that both the one and the other may fully and clearly comprehend their actual position.

The answer is as follows: —

VICTORIA REGINA.

Her Majesty has taken into Her gracious consideration the prayer of the petition presented by the Legislative Assembly of the Ionian Islands, with reference to the interests of the islands themselves, of the states in their neighbourhood, and of the general peace.

Having regard to these objects, Her Majesty, invested as She is by the Treaty of Paris with the exclusive Protectorate of the Ionian State, and constituted the sole organ of that State in the councils of Europe, can neither consent to abandon the obligations She has undertaken, nor can convey, nor permit, any application to any other Power in furtherance of any similar design.

Her Majesty does not desire to impose new fetters on opinion; but She will enforce, wherever it is placed in Her charge, the sacred duty of obedience to the laws.

Her Majesty has adopted, on Her part, the measures which she deems most conducive to the good of the Ionian people; and She awaits the enlightened cooperation of their Parliament.

V. R.

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### *Dispatch from Sir H. Storks, K. C. B., to the Right Hon. Sir E. B. Lytton, Bart.*[1]

(No. 31.) *Corfu, February* 21, 1859.
(Received February 28, 1859)

SIR,

1. Mr. Gladstone, in his Despatch No. 26 of the 17th instant, communicated to you the proceedings of the Legislative Assembly up to that day.

2. On Friday, the 18th the committee appointed to draw up and lay before the Chamber the answer to the several communications of the Lord High Commissioner made their report.

3. A copy of the report was communicated to me privately, and went to show that the committee considers that the Queen's reply does not close the question of union with Greece: —

(*a.*) Because it excludes the mode of attaining the object, *i. e.* a reference to Foreign Powers, which the Assembly had contemplated.

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[1] "Ionian Islands," *British Parliamentary Papers,* 1861, vol. 67 [2891], p. 76.

(*b.*) Because it does not conform to the declaration of the 15/27th January.

(*c.*) Because of the conduct of the Protecting Power during the present session.

4. I do not trouble you with a copy of the proposed answer, because it is simply a proposal, and is still under discussion.[1]

. . . . . . . . . . .

I have, &c.

(Signed) H. K. Storks.

The Right Hon. Sir. E. B. Lytton, Bart.,
&c. &c. &c.

### *Resolutions Presented to the Ionian Assembly, March,* 1861 [2]

Proposal of Demetrio Baccomi

Mr. Gladstone, two years back, having persuaded us to submit to Her Majesty the Queen of England the question of union, left, perhaps, with the idea that he had succeeded in giving a final and negative solution to the struggle between the Seven Islands and the Protection imposed upon them. Mr. Gladstone, without doubt, permitted this negative solution of the question to become known under the cloud of artificial and studied phrases, in order to conceal the object of his mission amongst us, and to show unclouded the political horizon of his Government in respect to the question of union.

The English Government, unceasingly pursuing its own interests, pretends to consider these as superior to the nationality and independence of others. And in contradiction to the principles of liberty and love, which it preaches to other nations, binding itself in an anachronism with the period in which right throws off material forms, and the dead letter of treaties, in order that it may become a fact, that is to say, a principle of sovereignty exercised by the people,— have given to our imprescriptible national rights the form most suitable to its interests, and considered the Islands as a series of rocks and military stations, exclusively serving English interests. . . .

In virtue of the new law of Europe, which solemnly proclaimed and recognised, that is, inscribed on the summit of the pyramids of civilisation, the will and sovereignty of the people; and the result of the union of these two principles is such that it has obtained the respect of Europe, whose arms do not unite to destroy, in the hands of the people, the principles proclaimed, not interfering with the acts of the people, so that by the rights of nationality and the acquirement of their lost independence they may all live in one State, the emanation of independence, of the same species, and the same form as the national character, from which proceeds the true union of political existence and cohabitation.

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[1] The answer was adopted and presented to the Lord High Commissioner by a deputation from the Assembly on Feb. 28. For a French translation of the address of the deputation see François Lenormant, *La Question Ionienne devant l'Europe,* pp. 144–145, Paris, 1859.

[2] "Ionian Islands," *British Parliamentary Papers,* 1861, vol. 67 [2891], pp. 7, 8.

For the above reasons, I am therefore of opinion that an appeal should be made by the Chamber, to the people of the Seven Islands, who shall proclaim by " universal suffrage," and the new means accepted, viz., the national will and sovereignty of the people, its " independence " and its non-dependence on English protection, which it must vote against, annulling and repudiating, by means of universal demonstration (one of the chief rights), the right of the Protection to be the author of its liberty, autonomous and independent, by annulling the treaty imposed in 1815, from which is derived the unjust continuation of foreign protection.

(Signed) Demetrio Baccomi.

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The Representatives of the Seven Islands,

To the Representatives of the Peoples, to the Governments, and to the Philanthropists of Christian Europe.

The Greek Assembly of the Ionian Islands, and itself the organ of the wishes, the rights, and of the demands of the eternally and continuously indivisible Greek people assembled in the present critical circumstances of the East, feels imposed upon it the exalted duty of national action by words, although it thinks that unjustly, and by the material power of the stronger, the Seven Islands are excluded, against their will (*θέλησις*) and solemn declaration, from the Greek kingdom to the detriment of the Greek race and of European interests, it hastens, notwithstanding, to continue its labours, and in the position of affairs, turns to the Christian world in favour of rights and interests, both of itself and of the nation, to which are attached those of the peace of Europe.

The Seven Islands, having maintained in the midst of grave circumstances, in the exercise of their rights relative to their emancipation, a legitimate conduct and incomparable order, in the same way that the most civilised people boast of in their politics, have the right to make their voice heard, and are not discouraged if from their weakness their words are despised. . . . Let England restore to the kingdom of Greece the trust, which before the formation of that kingdom was confided to her on account of circumstances which have long ceased to exist. This is the first step which the interest of Europe and the rights of Hellenism (τὰ δίκαία τῆς Ἑλληνίκότητος) require. The question (Ζήτημα) of the union of the Seven Islands to the existing (νῦν) Greek kingdom is not a question. This even on behalf of England herself, by the English Government itself, has lately been solved by the communication which the administration of England addressed, on the 15/27 of October 1860, to the English Ambassador at Turin, and by the whole conduct of the English Government as regards Italian affairs. Truth and justice are not changed by place and nationalities.

These are, and must be, the same, whether for an Englishman, for an Italian, or for a Greek, in short, for the strong as for the weak; and duty requires in a greater degree (ἐπίτακωτερου) on the part of the stronger, the execution and fulfilment of the principles and dogmas acknowledged and proclaimed by himself (πας' ἀύτοῦ τοῦ ἰδίου).

Europe, casting a single glance on Greece, and the Ionian Islands, can easily convince herself that Greeks have all those requisites necessary that there should no longer be withheld from them the political direction of their beautiful country, the independence and peace of which, consolidated as it should be, interest the freedom and the security of the whole European society.

(Signed) Cosma Panaretos,
Georgios Berikios,
Constantino Lombardo.

House of Assembly, 25 (o.s.) February 1861

## *Notification of Warning by the Lord High Commissioner to the Assembly. March* 12, 1861 [1]

Message from his Excellency the Lord High Commissioner to the Most Noble the Legislative Assembly

The Lord High Commissioner has perceived that two documents have been laid on the table of the Most Noble the Legislative Assembly, and now stand on the order of the day for discussion; one inviting the Legislative Assembly to call on the Ionian people to declare by universal suffrage the national desire to be united to the kingdom of Greece; the other purporting to be an appeal from the Representatives of the Seven Islands to the representatives of the peoples, to the governments and to the philanthropists of Christian Europe.

The Lord High Commissioner is desirous of carrying forbearance to the utmost limits of his duty as the Representative of the Sovereign Protectress of these States. His Excellency thereof warns the Legislative Assembly that the proposals now standing in the order of the day are clearly contrary to the constitution, and as such can not be entertained or discussed.

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[1] "Ionian Islands," *British Parliamentary Papers* [2891], 1861, vol. 67, pp. 10, 11.

The Lord High Commissioner hopes that nothing will be permitted to divert the Legislative Assembly from its true functions of useful legislation for the good of the country; and, having now informed that body that these proposals are unconstitutional, his Excellency trusts to its prudence and patriotism to remove them from the order of the day.

*Given at the Palace of St. Michael and St. George, Corfu, this 12th day of March,* 1861.

By command of his Excellency,

H. Drummond Wolff,

*Secretary to the Lord High Commissioner.*

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### *Prorogation of the Assembly. March* 12, 1861 [1]

This Message [2] not having produced the effect hoped for by his Excellency, of causing the withdrawal of the unconstitutional proposals from the order of the day, the Lord High Commissioner has been compelled with reluctance to prorogue the Legislative Assembly for six months.

*Given at the Palace of St. Michael and St. George, Corfu, this 12th day of March,* 1861.

By his Excellency's command,

H. Drummond Wolff,

*Secretary to the Lord High Commissioner.*

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### *Dispatch of Earl Russell to the British Representatives at Foreign Courts Concerning Announcement that the Question of Union Shall be Left to the Ionian Assembly* [3]

Earl Russell to Lord Bloomfield [4]

*Foreign Office, June* 10, 1863.

My Lord,

The time is at hand when Her Majesty's declaration of her readiness to consent to the union of the Ionian Islands with Greece, if the Ionian Islands should themselves desire that union, must be followed by practical measures; and Her Majesty's Government are anxious, before taking further steps, to free the subject from ambiguity. As, therefore, some unfounded notions are entertained with respect to those Islands, it may be useful that I should call your Excellency's attention to the truth regarding their position, their rights, and their future condition.

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[1] "Ionian Islands," *British Parliamentary Papers,* 1861, vol. 67 [2891], p. 12.

[2] See *supra.*

[3] *Brit. St. Pap.,* vol. 57, p. 1067.

[4] Laid before Parliament in 1863. Similar dispatches were addressed to Earl Cowley, Sir A. Buchanan, and Lord Napier.

The Ionian Islands are not, as some persons appear to suppose, a part of the possessions of the British Crown. They form the Republic of the Seven Islands, placed by Treaty under the protection of the Sovereign of the United Kingdom, his heirs and successors.

The manner in which these Islands came under the protection of the British Crown, is well known to all those who are acquainted with the European transactions of 1815. Provisions relating to them were not included among the Articles of the General Treaty concluded at Vienna [1] in the month of June of that year. But on the 4th of June [2] of that year, the Plenipotentiaries of the 4 Powers, Austria, Great Britain, Prussia, and Russia, being assembled, recorded in a Protocol what had passed at their Conference of that day.

The Plenipotentiary of Austria declared that the question of the possession of the Ionian Islands being connected with the tranquillity of Italy, and of the former Venetian Provinces, the Court of Austria would charge itself with the protection of these Islands, and would guarantee to them the maintenance of their laws and privileges.

But the Plenipotentiaries of Russia said, that desiring nothing else than to assure to the inhabitants of those Islands the happiest lot, and that most appropriate to their situation, they thought it their duty to promote the wish of the inhabitants of those Islands, that they should remain under the protection of Great Britain. The Plenipotentiaries of Russia also remarked that Count de Capodistrias, who had been charged specially with this matter, being absent, they could not then make any definite arrangement, and they proposed an adjournment; and this proposal was finally adopted.

It is well known that Count de Capodistrias, who at that time enjoyed great favour with the Emperor Alexander, was zealous in behalf of the nationality and freedom of his countrymen. Knowing that the Ionian Islands could not stand alone as an independent State, he wished to place them under the protection of Great Britain, whose institutions, framed on principles of liberty, he desired to see established among a people of Greek habits and language.

These desires of Count de Capodistrias were, by the influence of the Court of Russia, and with the consent of Great Britain, accomplished by the Treaty of Paris of November 5, 1815,[1] between Great Britain, Austria, Russia and Prussia.

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[1] *Brit. St. Pap.*, vol. 2, p. 3.

[2] *Ibid.*, p. 744.

The preamble of this Treaty recites that the Powers concerned, " animated by the desire of prosecuting the negotiations adjourned at the Congress of Vienna, in order to fix the destiny of the 7 Ionian Islands, and to ensure the independence, liberty, and happiness of those Islands, by placing them and their Constitution under the immediate protection of one of the Great Powers of Europe, have agreed to settle definitively by a special Act whatever relates to this object, &c."

Article I of this Treaty declares that " the Islands of Corfu, Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Paxo, with their dependencies, such as they were described in the Treaty between his Majesty the Emperor of all the Russias and the Ottoman Porte, of the 21st of March, 1800,[2] shall form a single, free, and independent State, under the denomination of the United States of the Ionian Islands."

The fourth Article declares that " the Lord High Commissioner of the Protecting Power shall regulate the forms of convocation of a Legislative Assembly, of which he shall direct the proceedings, in order to draw up a new Constitutional Charter for the State, which His Majesty the King of the United Kingdom of Great Britain and Ireland shall be requested to ratify."

Article V is as follows:

" In order to ensure without restriction to the inhabitants of the United States of the Ionian Islands the advantages resulting from the high protection under which these States are placed, as well as for the exercise of the rights inherent in the said protection, His Britannic Majesty shall have the right to occupy the fortresses and places of those States, and to maintain garrisons in the same."

A like provision places under the order of the Commander-in-Chief of the troops of His Britannic Majesty the military force of the said United States.

It appears clear from these provisions that the intention of the High Allied Powers was to found in the Seven Islands a free, independent State, which, by the protection of so powerful a country as Great Britain, might develope its resources without fear of external aggression or internal anarchy.

It appears, also, from Article V that the main object of the stipulation placing the fortresses in the hands of Great Britain was to insure " to the inhabitants of the United States of the Ionian Islands the advantages resulting from the high protection under which the States are placed."

The Constitution established in execution of the Articles of the Treaty contained in Article IV a provision that " the established language of the

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[1] *Brit. St. Pap.*, vol. 3, p. 250.

[2] *Ibid.*, p. 255.

States is Greek," thus showing conclusively that the intention of Count de Capodistrias to create a Greek nationality was steadily kept in view by Great Britain, as the State entrusted with the Protectorate.

The British Government having received this trust, have endeavored faithfully to discharge the duties imposed upon them by the Allied Powers. In spite of many obstacles, they have ameliorated in all respects the condition of the inhabitants. With regard, however, to the exercise of the constitutional functions of the Lord High Commissioner and the Legislative Body, complete harmony has seldom prevailed between them. But the great change which took place in the condition of some of the neighboring Turkish Provinces, when the Greek people of those Provinces asserted their independence, altered materially the political condition of the inhabitants of the Seven Islands. From that time the sympathies of the Ionian people began to turn towards Greece, and when the Greek Kingdom became a recognized State of Europe, the wish to be politically united with men of their own race took root among the people of the Ionian Islands.

This wish has often been laid hold of as a pretext for factious opposition; it has been expressed since 1850, at times when Great Britain could not listen to it without yielding to projects of ambition very foreign from the freedom of Greece. But in its origin and tendency there is something in this Ionian wish of union with Greece which must obtain the respect of the British nation.

A love of independence in union with a kindred race has in itself claims to regard from a nation which prides itself on its love of freedom.

It is thus that, with a view to strengthen the Greek Monarchy, to fulfil the original objects of the foundation of the Ionian Islands as a State, and to comply with the wishes frequently, though irregularly, expressed in the Ionian Islands themselves, Her Majesty's Government have declared their readiness to consent to the union of the Ionian Islands with Greece.

Her Majesty's Government are not insensible of the value of Corfu as a maritime and military station, nor are they unaware of the apprehensions felt in Austria and Turkey at the prospect of the abandonment of the Ionian Islands by Great Britain. It has been suggested in England that Corfu might be retained while the other Islands might be given up. But Her Majesty's Government conceive that it would be a perversion of the trust confided to them by Europe, and a breach of faith towards the Ionian people, if Great Britain were to turn a portion of a single free and independent State under her Protectorate, into a part of her military possessions, and to make Corfu an element of her European power.

Her Majesty's Government propose, therefore, now that a King of Greece has been recognized by the protecting Powers, to consult in the most formal and authentic manner the wishes of the inhabitants of the Ionian Islands, as to their future destiny. If those wishes, deliberately expressed, should be in favor of a union with Greece, Her Majesty's Government would propose that, with a view to considering the future condition of the Ionian Islands, a Conference should be assembled, to consist of the Representatives of the Powers who signed the Treaty of November, 1815, and of the protecting Powers, who in 1827 and 1832, signed the Treaties by which the Kingdom of Greece was constituted. I am, &c.,

RUSSELL.

*Lord Bloomfield.*

P.S.— You are desired to read and give a copy of this despatch to Count Rechberg.

### *Treaty between Great Britain, France and Russia, on the One Part, and Denmark, on the Other Part, relative to the Accession of Prince William of Denmark to the Throne of Greece. Signed at London, July* 13, 1863 [1]

Au nom de la Très Sainte et Indivisible Trinité.

Leurs Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur des Français, et l'Empereur de toutes les Russies, désirant aplanir les difficultés survenues dans le Royaume de Grèce, placé sous leur commune garantie, ont jugé nécessaire de s'entendre sur les arrangements à prendre, afin de réaliser les vœux de la nation Grecque qui appelent le Prince Guillaume de Danemark au trône Hellénique.

De son côté, Sa Majesté le Roi de Danemark, se rendant à l'invitation de leurs dites Majestés, a consenti à leur prêter son concours en vue de ce résultat, conforme aux intérêts de la paix générale.

In the name of the Most Holy and Indivisible Trinity.

Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of all the Russias, being anxious to smooth the difficulties which have occurred in the kingdom of Greece, placed under their common guarantee, have judged it necessary to come to an understanding with regard to the arrangements to be taken in order to give effect to the wish of the Greek nation, which calls Prince William of Denmark to the Hellenic Throne.

His Majesty the King of Denmark, on his part, responding to the invitation of their said Majesties, has consented to afford them his co-operation with a view to that result, conformable to the interests of the general peace.

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[1] *Brit. St. Pap.*, vol. 53, p. 28. Ratifications exchanged at London, August 3, 1863. Translation from *British Parliamentary Papers,* 1864, vol. 66 [3246], p. 4.

En conséquence Leurs Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur des Français, et l'Empereur de toutes les Russies d'une part, et Sa Majesté le Roi de Danemark de l'autre, ont résolu de conclure un Traité, et à cet effet ont nommé pour leurs Plénipotentiaires, savoir:

### ARTICLE 1

Sa Majesté le Roi de Danemark, d'accord avec le Prince Christian de Danemark, agissant en qualité de tuteur de son fils puiné le Prince Christian Guillaume Ferdinand Adolphe George, accepte pour ce Prince, encore mineur, la Souveraineté héréditaire de la Grèce, qui lui est offerte par le Sénat et par l'Assemblée Nationale de la Grèce au nom de la nation Hellénique.

### ARTICLE 2

Le Prince Guillaume de Danemark portera le titre de George I, Roi des Grecs.

### ARTICLE 3

La Grèce, sous la souveraineté du Prince Guillaume de Danemark, et la garantie des 3 Cours, forme un Etat monarchique, indépendant, constitutionnel.

### ARTICLE 4

Les limites du territoire Grec, déterminées par l'arrangement conclu à

In consequence, their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of all the Russias, on the one part, and His Majesty the King of Denmark on the other, have resolved to conclude a Treaty, and have for that purpose named as their Plenipotentiaries, that is to say:

[Here follow the names of plenipotentiaries.]

### ARTICLE 1

His Majesty the King of Denmark, in accordance with the Prince Christian of Denmark, acting in the character of guardian of his second son Prince Christian William Ferdinand Adolphus George, accepts for that Prince, a minor, the hereditary sovereignty of Greece, which is offered to him by the Senate and the National Assembly of Greece in the name of the Hellenic nation.

### ARTICLE 2

The Prince William of Denmark shall bear the title of George I, King of the Greeks.

### ARTICLE 3

Greece, under the sovereignty of Prince William of Denmark, and the guarantee of the three Courts, forms a monarchical, independent and constitutional State.

### ARTICLE 4

The limits of the Greek territory, determined by the arrangement con-

Constantinople entre les trois Cours et la Porte Ottomane le 21 Jullet 1832, recevront une extension par la réunion des Iles Ioniennes au Royaume Hellénique, à l'époque où cette réunion, proposée par le Gouvernement de Sa Majesté Britannique, aura été trouvée d'accord avec les vœux du Parlement Ionien, et où elle aura obtenu l'assentiment des Cours d'Autriche, de France, de Prusse, et de Russie.

. . . . .

cluded at Constantinople between the three Courts and the Ottoman Porte on the 21st of July, 1832, shall receive an extension by the union of the Ionian Islands with the Hellenic Kingdom, when such union, proposed by the Government of Her Britannic Majesty, shall have been found to be in accordance with the wishes of the Ionian Parliament, and shall have obtained the assent of the Courts of Austria, France, Prussia, and Russia.

. . . . .

## *Protocol of the Conference Held in London by Plenipotentiaries of Austria, France, Great Britain, Prussia and Russia. August* 1, 1863 [1]

Présents: les Plénipotentiaires de l'Autriche, de la France, de la Grande-Bretagne, de la Prusse et de la Russie.

Le principal secrétaire d'Etat de Sa Majesté Britannique pour les Affaires étrangères a exposé les raisons qui déterminent le Gouvernement de Sa Majesté à s'entendre avec les Cours d'Autriche, de France, de Prusse et de Russie sur la révision du Traité du 5 novembre 1815, en vertu duquel les Iles Ioniennes ont été placées sous la protection immédiate et exclusive de la Grande-Bretagne. Animé du désir de consolider par de nouveaux arrangements le bien-être des populations confiées jusqu'ici à sa sollicitude, le Gouvernement de Sa Majesté Britannique considérerait la réunion des Iles Ioniennes au Royaume hellénique comme la solution la plus con-

Present: The Plenipotentiaries of Austria, France, Great Britain, Prussia and Russia.

The Principal Secretary of State of Her Britannic Majesty explained the reasons which induce the Government of Her Majesty to come to an understanding with the Courts of Austria, France, Prussia, and Russia as to the revision of the Treaty of the 5th of November, 1815, in virtue of which the Ionian Islands were placed under the immediate and exclusive protection of Great Britain.

Animated by the desire to consolidate by new arrangements the welfare of the people hitherto confided to its care, the Government of Her Britannic Majesty would consider the union of the Ionian Islands to the Hellenic Kingdom as the solution most conforme aux intérêts mutuels des deux pays, liés entre eux par une communauté d'origine et de croyance religieuse.

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[1] Martens, *N. R. G.*, vol. 18, p. 53. Translation from "Ionian Islands," *British Parliamentary Papers,* 1864, vol. 66 [3247], p. 7.

Les représentants d'Autriche, de France, de Prusse et de Russie ont déclaré :

Que leurs Cours reconnaissent unanimement au Gouvernement de Sa Majesté Britannique le droit de renoncer à l'exercice du protectorat exclusif établi par le Traité du 5 novembre 1815 ;

Qu'elles sont disposées à accorder leur assentiment et à prêter leur concours à la réunion des Iles Ioniennes au Royaume hellénique, si les vœux du Parlement ionien se prononcent en faveur de ce plan ;

Qu'elles réservent au Gouvernement de Sa Majesté Britannique de consulter à ce sujet les représentants de l'Etat Septinsulaire :

Qu'après avoir acquis la certitude de l'adhésion de cette assemblée, les Cours d'Autriche, de France, de Prusse et de Russie se déclareront prêtes à se concerter avec le Gouvernement de Sa Majesté Britannique sur la rédaction définitive du Traité destiné à placer l'arrangement proposé sous la sanction d'un acte européen.

formable to the mutual interests of the two countries, connected with each other by community of origin and of religious belief.

The Representatives of Austria, France, Prussia, and Russia declared : —

That their Courts unanimously acknowledged the right of the Government of Her Britannic Majesty to renounce the exercise of the exclusive Protectorate established by the Treaty of the 5th of November, 1815 :

That they are disposed to grant their assent and to lend their support to the union of the Ionian Islands to the Hellenic Kingdom, if the wish of the Ionian Parliament should be pronounced in favour of that plan :

That they reserve to the Government of Her Britannic Majesty to consult the Representatives of the Septinsular State on this subject :

That after having obtained certain knowledge of the assent of that Assembly, the Courts of Austria, France, Prussia and Russia will declare themselves ready to come to an agreement with the Government of her Britannic Majesty with regard to the definitive terms of the Treaty destined to place the proposed arrangement under the sanction of a European Act.

[Here follow signatures.]

### *Address of the Lord High Commissioner of the United States of the Ionian Islands, to the Legislative Assembly of the Said States, Convoked for the Purpose of Voting on the Question of Union*[1]

" MR. PRESIDENT AND GENTLEMEN,

" You have already learnt from my proclamation the reasons which induced the Protecting Sovereign to dissolve the late Ionian Parliament. Her Majesty the Queen, ever desirous of testifying her friendship and good will towards the Greek nation, has, with a view to increase the territory and to consolidate the strength of the Greek Kingdom, intimated to the Powers of Europe her readiness to relinquish the Protectorate hitherto held by her over these States in virtue of the treaty of 1815. Mindful of her solemn obligations, the Queen has been desirous of ascertaining from the Ionian people their wishes in regard to their national future. Her Majesty, therefore, under the powers reserved by the constitution, has convened a new Parliament as the legal and authentic method of ascertaining these wishes. By means of the provisions stipulated by the constitution, a full cognizance of the condition of public affairs has been acquired by the Ionian people, and free and unbiased elections have given them the opportunity of deliberately forming and expressing their opinion on a question so intimately connected with the national interests. They have availed themselves of this opportunity by electing the present Assembly, and I now call upon you, Gentlemen, to inform me in the usual address, with a delay as short as you may consider proper, whether it is or is not the desire of the people by whom you have been chosen, and whose representatives you are, that the Protectorate of her Majesty the Queen, my august Sovereign, over these States should cease, with the intent that the Ionian Islands should form henceforth a portion of the kingdom of Greece under his Majesty King George and his successors.

" ' In case your answer should be in favor of annexation to Greece, it will be my duty to lay before you, by message, certain detailed arrangements which are requisite for the completion of this measure :

" ' 1. It will be necessary that you should pass a resolution in the usual constitutional form, by which, after the cessation of the British Protectorate, and until the establishment of the new constitution, his Majesty the King of the Hellenes shall be enabled to exercise in these States his rights of sovereignty, including those privileges and functions heretofore exercised by the protecting Sovereign, the Lord High Commissioner, and the most illustrious the Senate.

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[1] *Corfu Gazette,* October 3, 1863; Viscount Kirkwall, *Four Years in the Ionian Islands,* vol. I, p. 300.

" '2. I shall propose to you, in the name of her Majesty, that, on the cessation of the payment of the sums heretofore reserved as the contribution for military protection, and as the Civil List of the Lord High Commissioner, there shall be reserved, as the first charge on the Ionian revenue, the sum of 10,000*l.* yearly in augmentation of the Civil List of his Majesty King George.[1]

" '3. I shall call upon you to recognize all contracts and engagements entered into by or on behalf of the Ionian Government up to this time, and all equitable claims on the same.

" '4. I shall also invite you to make provision for the preservation and safeguard of the British cemeteries in this and the other islands.

" '5. I shall have to inform you of the terms on which her Majesty's Government is prepared to come to a settlement of the debt of 90,289*l.*5s.7d. due to Great Britain for arrears of military contribution.[2]

" 'Should your vote be in favour of the cessation of the Protectorate, and of the proposed union with Greece, it will be necessary that her Majesty the Queen should invite the Powers parties to the treaty of November, 1815, to revise that treaty, and, in conjunction with France, one of the Protecting Powers of Greece, to make such arrangements as may tend to the future welfare of these States and the permanent interests of Europe.[3]

" 'I now leave you to your deliberations, and in so doing will merely echo the wish expressed by her Majesty, that you may be guided to a wise decision, and that the national happiness and prosperity of the Ionian people may, by your suffrages, be secured on a solid foundation."

## *Decree of the Ionian Assembly for Union with the Kingdom of Greece. September* 23, 1863[4]

"The Ionian Assembly, elected on the invitation of the protecting Powers, and convoked in view of pronouncing on the subject of the restoration of the Ionian people, manifesting faithfully their ardent desire and constant will, and conforming itself to the declarations and votes passed on several preceding occasions by the free Ionian Assemblies,

"Decrees,— That the islands of Corfu, Cephalonia, Zante, St. Maura, Ithaca, Cerigo, and Paxo, as well as their dependencies, shall be united to the kingdom of Greece, so as to form an integral part of it in perpetuity, forming a single indivisible State, under the constitutional sceptre of his Majesty the King of the Hellenes, George I, and his successors.

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[1] This clause, as a compulsory measure, was objected to by the Assembly.

[2] This debt was remitted by the British Government.

[3] This was the only clause that might be interpreted as alluding to the destruction of the fortifications. But surely the intention should have been more boldly and frankly expressed.

[4] Quoted from *Corfu Gazette,* October 5, 1852, by Kirkwall, in *Four Years in the Ionian Islands,* vol. I, p. 303.

"*Done in the Hall of the Assembly, September* 23, *year of grace* 1863."

### *Treaty Between Austria, France, Great Britain, Prussia and Russia, Regarding the Union of the Ionian Islands to the Kingdom of Greece. Signed at London, November* 14, 1863 [1]

Au nom de la très-sainte et indivisible Trinité.

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande ayant fait connaître à Leurs Majestés l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse et l'Empereur de toutes les Russies, que l'Assemblée Législative des Etats-Unis des Iles Ioniennes, dûment informée de l'intention de Sa Majesté de consentir à l'union de ces Iles au Royaume de Grèce, s'est prononcée unanimement en faveur de cette union; et la condition établie par la dernière clause du Protocole signé par les Plénipotentiaires des Cinq Puissances le 1er août dernier se trouvant ainsi remplie, Leurs dites Majestés, savoir, la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, et l'Empereur de toutes les Russies, ont résolu de constater par un Traité solennel l'assentiment qu'elles ont donné à cette union, en stipulant les conditions sous lesquelles elle s'effectuerait.

In the Name of the Most Holy and Indivisible Trinity.

Her Majesty the Queen of the United Kingdoms of Great Britain and Ireland having made known to their Majesties the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of all the Russias, that the Legislative Assembly of the United States of the Ionian Islands, having been duly informed of the intention of Her Majesty to consent to the union of those Islands to the Kingdom of Greece, has unanimously pronounced in favour of that union; and the condition prescribed by the last clause of the Protocol signed by the Plenipotentiaries of the Five Powers on the 1st of August last being thus fulfilled, their said Majesties, that is to say, the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia and the Emperor of all the Russias, have resolved to record in a solemn Treaty the assent which they have given to that union, stipulating at the same

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[1] Ratified January 2, 1864. Martens, *N. R. G.*, vol. 18, p. 55. Translation from *British Parliamentary Papers* [3247], 1864, vol. 66, p. 4.

A cet effet Leurs dites Majestés ont nommé pour leurs Plénipotentiaires, savoir:

Article 1. Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande renonce, sous les conditions ci-dessous spécifiées, au Protectorat des Iles de Corfou, Cephalonie, Zante, Sainte-Maure, Ithaque, Cerigo, et Paxo, avec leurs dépendances, que le Traité signé à Paris le 5 novembre 1815, par les Plénipotentiaires de la Grande-Bretagne, d'Autriche, de Prusse et de Russie, a constitué en un seul Etat libre et indépendant, sous la dénomination d'Etats-Unis des Iles Ioniennes, placé sous la protection immédiate et exclusive de Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande, ses héritiers et successeurs.

Leurs Majestés l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, et l'Empereur de toutes les Russies, acceptent, sous les conditions ci-dessous spécifiées, l'abandon que Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande fait du Protectorat des Etats-Unis des Iles Ioniennes, et reconnaissent, conjointement avec Sa Majesté, l'union des dits Etats au Royaume Hellénique.

Article 2. Les Iles Ioniennes, après leur union au Royaume de

time the conditions under which it shall be effected,

For this purpose their said Majesties have named as their Plenipotentiaries, that is to say: —

[Here follow the names of plenipotentiaries.]

Article 1. Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland renounces, on the conditions hereinafter specified, the Protectorate over the Islands of Corfu, Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Paxo, with their dependencies, which, by the Treaty, signed at Paris on the 5th of November, 1815, by the Plenipotentiaries of Great Britain, Austria, Prussia and Russia, were constituted a single free and independent State, under the domination of the United States of the Ionian Islands, placed under the immediate and exclusive protection of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors.

Their Majesties the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of all the Russias accept, on the conditions hereinafter specified, the renunciation by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland of the Protectorate of the Ionian Islands; and, in conjunction with Her Majesty, recognize the union of the said States with the Hellenic Kingdom.

Article 2. The Ionian Islands, after their union to the Kingdom of

Grèce, jouiront des avantages d'une neutralité perpétuelle; . . .

. . . . .

Article 3. Comme conséquence nécessaire de la neutralité dont les Etats-Unis des Iles Ioniennes sont appelés ainsi à jouir, les fortifications construites dans l'Ile de Corfou et dans ses dépendances immédiates, étant désormais sans objet, devront être démolies, et leur démolition s'effectuera avant la retraite des troupes employées par la Grande-Bretagne à occuper ces Iles en sa qualité de Puissance protectrice. Cette démolition se fera de la manière que Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande jugera suffisante pour remplir les intentions des Hautes Parties Contractantes.

Article 4. La réunion des Iles Ioniennes au Royaume Hellénique n'apportera aucun changement aux avantages acquis à la navigation et au commerce étrangers en vertu de Traités et de Conventions conclus par les Puissances étrangères avec le Gouvernement de Sa Majesté Brittannique, en sa qualité de Protectrice des Etats-Unis des Iles Ioniennes.

Tous les engagements qui résultent des dites transactions, ainsi que des règlements actuellement en vigueur, seront maintenus et strictement observés comme par le passé.

En conséquence il est expressément entendu que les bâtiments et le commerce étrangers dans les ports Ioniens, et, réciproquement, les bâtiments et le commerce Ioniens dans les ports

Greece, shall enjoy the advantages of a perpetual neutrality; . . .

. . . . .

Article 3. As a necessary consequence of the neutrality to be thus enjoyed by the United States of the Ionian Islands, the fortifications constructed in the Island of Corfu and its immediate dependencies, having no longer any object, shall be demolished, and the demolition thereof shall be effected previously to the withdrawal of the troops employed by Great Britain for the occupation of those Islands in her character as Protecting Power. This demolition shall take place in such manner as Her Majesty the Queen of the United Kingdom of Great Britain and Ireland shall deem sufficient to fulfill the intentions of the High Contracting Parties.

Article 4. The union of the Ionian Islands to the Hellenic Kingdom shall not involve any change as to the advantages conceded to foreign commerce and navigation in virtue of Treaties and Conventions concluded by foreign Powers with the Government of Her Britannic Majesty, in her character of Protector of the United States of the Ionian Islands.

All the engagements which result from the said transactions, as well as from the regulations actually in force, shall be maintained and strictly observed as hitherto.

In consequence, it is expressly understood that foreign vessels and commerce in Ionian ports, and, reciprocally, Ionian vessels and commerce in foreign ports, as well as the naviga-

étrangers, de même que la navigation entre les ports Ioniens et ceux de la Grèce, continueront à être soumis au même traitement et placés dans les mêmes conditions qu'avant la réunion des Iles Ioniennes à la Grèce.

ARTICLE 5. La réunion des Etats Unis des Iles Ioniennes au Royaume de Grèce n'invalidera en rien les principes établis par la législation existante de ces Iles, en matière de liberté du culte et de tolérance religieuse; conséquemment, les droits et immunités consacrés en matière de religion par les Chapitres I et V de la Charte Constitutionelle des Etats Unis des Iles Ioniennes, et spécialement la reconnaissance de l'Eglise Grecque Orthodoxe comme religion dominante dans ces Iles; l'entière liberté du culte accordée à l'Eglise de l'Etat de la Puissance Protectrice; et la parfaite tolérance promise aux autres communions Chrétiennes,— seront maintenus après l'union dans toute leur force et valeur.

La protection spéciale garantie à l'Eglise Catholique Romaine, ainsi que les avantages dont elle est présentement en possession, seront également maintenus; et les sujets appartenant à cette communion jouiront dans les Iles Ioniennes de la même liberté de culte qui leur a été reconnue en Grèce par le Protocole du 3 Février, 1830.

Le principe de l'entière égalité civile et politique entre les sujets appartenant aux divers rites, consacré en Grèce par le même Protocole, sera

tion between Ionian ports and the ports of Greece, shall continue to be subject to the same treatment, and placed under the same conditions, as before the union of the Ionian Islands to Greece.

ARTICLE 5. The union of the United States of the Ionian Islands to the Kingdom of Greece shall in no wise invalidate the principles established by the existing legislation of those Islands with regard to freedom of worship and religious toleration; accordingly the rights and immunities established in matters of religion by Chapters 1 and 5 of the Constitutional Charter of the United States of the Ionian Islands, and specifically the recognition of the Orthodox Greek Church as the dominant religion in those Islands; the entire liberty of worship granted to the Established Church of the Protecting Power; and the perfect toleration promised to other Christian communions,— shall, after the union, be maintained in their full force and effect.

The special protection guaranteed to the Roman Catholic Church, as well as the advantages of which that Church is actually in possession, shall be equally maintained; and the subjects belonging to that communion shall enjoy in the Ionian Islands the same freedom of worship which is recognized in their favour by the Protocol of the 3rd of February, 1830.

The principle of entire civil and political equality between subjects belonging to different creeds, established in Greece by the same Protocol, shall pareillement en vigueur dans les Iles Ioniennes.

Article 6. Les Cours de France, de la Grande Bretagne, et de Russie, en leur qualité de Puissances Garantes du Royaume de Grèce, se réservent de conclure un Traité avec le Gouvernement Hellénique sur les arrangements que pourra nécessiter la réunion des Iles Ioniennes à la Grèce.

Les forces militaires de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande seront retirés du territoire des Etats Unis des Iles Ioniennes dans l'espace de trois mois, ou plus tôt si faire se peut, après la ratification du susdit Traité.

Article 7. Les Cours de France, de la Grande-Bretagne et de Russie, s'engagent à communiquer aux Cours d'Autriche et de Prusse le Traité qu'elles auront conclu avec le Gouvernement Hellénique conformément à l'Article précédent.

Article 8. Les Hautes Parties Contractantes conviennent entr'elles, qu'après la mise à exécution des arrangements compris dans le présent Traité, les stipulations du Traité du 5 Novembre, 1815, conclu entre les Cours de la Grande Bretagne, d'Autriche, de Prusse, et de Russie, relatif aux Etats Unis des Iles Ioniennes, cesseront d'être en vigueur, à l'exception de la clause par laquelle les Cours d'Autriche, de Prusse, et de Russie ont renoncé à tout droit ou prétention particulière qu'elles pourraient avoir sur toutes ou sur quelques-unes des

be likewise in force in the Ionian Islands.

Article 6. The Courts of France, Great Britain, and Russia, in their character of Guaranteeing Powers of the Kingdom of Greece, reserve to themselves to conclude a Treaty with the Hellenic Government with regard to the arrangements which may be rendered necessary by the union of the Ionian Islands to Greece.

The military forces of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland shall be withdrawn from the territory of the United States of the Ionian Islands in three months, or sooner if possible, after the ratification of the said Treaty.

Article 7. The Courts of France, Great Britain, and Russia engage to communicate to the Courts of Austria and Prussia the treaty which they shall have concluded with the Hellenic Government in conformity with the preceding Article.

Article 8. The High Contracting Parties agree that from and after the coming into operation of the arrangements comprised in the present Treaty, the stipulations of the Treaty of the 5th of November, 1815, concluded between the Courts of Great Britain, Austria, Prussia, and Russia, relative to the United States of the Ionian Islands, shall cease to be in force, with the exception of the clause whereby the Courts of Austria, Prussia, and Russia renounced every right or particular pretension which they might have formed in respect to all

Iles ou de leurs dépendances, reconnues par le Traite du 5 Novembre, 1815, comme formant un seul Etat libre et indépendant, sous la dénomination des Etats Unis des Iles Ioniennes. Par le présent Traité Leurs Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, et l'Empereur de toutes les Russies, renouvellent et confirment la dite renonciation en leur nom, pour leurs héritiers et leurs successeurs.

ARTICLE 9. Le présent Traité sera ratifié, et les ratifications en seront échangées à Londres dans le délai de six semaines, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

Fait à Londres, le quatorze Novembre, en l'an de grace mil huit cent soixante-trois.

(L. S.) RUSSELL,
(L. S.) WIMPFFEN,
(L. S.) CADORE,
(L. S.) BERNSTORFF,
(L. S.) BRUNNOW.

or any of those Islands or their dependencies, recognized by the Treaty of the 5th of November, 1815, as forming a single free and independent State under the denomination of the United States of the Ionian Islands. By the present Treaty their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of all the Russias, renew and confirm the said renunciation in their name, for their heirs and successors.

ARTICLE 9. The present Treaty shall be ratified, and the ratifications shall be exchanged at London in six weeks, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the fourteenth day of November, in the year of our Lord one thousand eight hundred and sixty-three.

(L. S.) RUSSELL.
(L. S.) WIMPFFEN.
(L. S.) CADORE.
(L. S.) BERNSTORFF.
(L. S.) BRUNNOW.

## *Treaty Between Great Britain, France and Russia on the One Part, and Greece on the Other Part, Respecting the Union of the Ionian Islands with the Kingdom of Greece. Signed at London, March 29, 1864* [1]

Au Nom de la très-sainte et indivisible Trinité.

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande a fait connaître à l'Assemblée Législative des Etats-Unis des Iles Ioniennes, qu'en vue de réunir éventuellement ces Iles au Royaume de Grèce, Elle était prête, si le Parlement Ionien en exprimait le vœu, à faire abandon du Protectorat de ces Iles, confié à Sa Majesté par le Traité conclu à Paris, le 5 novembre 1815, entre les Cours de la Grande-Bretagne, d'Autriche, de Prusse et de Russie. Ce vœu ayant été manifesté par un vote de la dite Assemblée Législative, rendu à l'unanimité des voix le 7/19 Octobre 1863, Sa Majesté Britannique a consenti, par l'Article 1$^{er}$ du Traité conclu le 14 novembre 1863, entre Sa Majesté, l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse et l'Empereur de toutes les Russies, à renoncer au dit Protectorat, sous de certaines conditions spécifiées dans le Traité précité et définies, depuis lors, par les Protocoles subséquents.

De leur côté, Leurs Majestés l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse et l'Empereur de toutes les Russies ont consenti, par le même Article et sous les

In the name of the Most Holy and Indivisible Trinity.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland has informed the Legislative Assembly of the United States of the Ionian Islands that with reference to the eventual union of these Islands with the Kingdom of Greece, she is ready, if the Ionian Parliament should express the wish, to give up the Protectorate of these Islands, confided to Her Majesty by the Treaty of Paris of November 5, 1815, between the Courts of Great Britain, Austria, Russia and Prussia. This desire having been manifested by a vote of the aforesaid Legislative Assembly, given with unanimity on October 7/19 1863, her Britannic Majesty, by Article 1 of the Treaty concluded on the 14th of November, 1863, between His Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, has consented to renounce the aforesaid Protectorate under certain conditions specified in the Treaty cited, and defined, since then, by subsequent protocols.

On their side, their Majesties the Emperor of Austria, the Emperor of the French, the King of Prussia and the Emperor of All the Russias, by the same article and under the same mêmes conditions, à accepter cette renonciation et à reconnaître, conjointement avec Sa Majesté Britannique, l'union de ces Iles au Royaume de Grèce.

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[1] Martens, *N. R. G.*, vol. 18, p. 63. **Ratified at London, April 25, 1864.**

En vertu de l'Article V du Traité signé à Londres le 13 juillet 1863, il a été convenu en outre, d'un commun accord, entre Sa Majesté Britannique et Leurs Majesté l'Empereur des Français et l'Empereur de toutes les Russies, que les Iles Ioniennes, lorsque leur réunion au Royaume de Grèce aurait été effectuée, comme l'Article IV du même Traité l'a prévu, seraient comprises dans la garantie stipulée en faveur de la Grèce par les Cours de la Grande-Bretagne, de France et de Russie, en vertu de la Convention signée à Londres, le 7 mai 1832.

En conséquence, d'accord avec les stipulations du Traité du 13 juillet 1863, et conformément aux termes de l'Article VI du Traité du 14 novembre 1863, par lequel les Cours de la Grande-Bretagne, de France et de Russie, en leur qualité de Puissances garantes du Royaume de Grèce, se sont réservé de conclure un Traité avec le Gouvernement Hellénique sur les arrangements que pourra nécessiter la réunion des Iles Ioniennes à la Grèce, Leurs dites Majestés ont résolu de procéder à négocier avec Sa Majesté le Roi des Hellènes un Traité, à l'effet de mettre à exécution les stipulations ci-dessus mentionées.

Sa Majesté le Roi des Hellènes ayant donné son assentiment à la

conditions, have consented to accept this renunciation and to recognize, conjointly with her Britannic Majesty, the union of these Islands to the Kingdom of Greece.

By virtue of Article V of the Treaty signed at London, July 13, 1863, it has been further agreed by common accord, between Her Britannic Majesty and their Majesties the Emperor of the French and the Emperor of All the Russias, that, when their union with the Kingdom of Greece shall have been made effective, as provided in Article IV of the same Treaty, the Ionian Islands shall be included in the guaranty stipulated in favor of Greece by the Courts of Great Britain, France and Russia, by virtue of the Conventions signed at London, May 7, 1832.

Consequently, in accordance with the stipulations of the Treaty of July 13, 1863, and in accordance with the terms of Article VI of the Treaty of November 14, 1863, by which the Courts of Great Britain, France and Russia, in their quality as Powers guaranteeing the Kingdom of Greece, have made the reservation to conclude a treaty with the Hellenic Government as to the arrangements which might be necessitated by the union of the Ionian Islands to Greece, their said Majesties have resolved to proceed to negotiate with His Majesty the King of the Greeks a Treaty for the purpose of putting into execution the stipulations above mentioned.

His Majesty the King of the Greeks having given his assent to the conclu-

conclusion de ce Traité, Leurs dites Majestés ont nommé pour leurs Plénipotentiaires, savoir:

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et signé les Articles suivants:

ART. 1$^{er}$. Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, désirant réaliser le vœu que l'Assemblée Législative des Etats-Unis des Iles Ioniennes a exprimé de voir ces iles réunies à la Grèce, a consenti, sous les conditions spécifiées ci-après, à renoncer au Protectorat des iles de Corfou, Céphalonie, Zante, Sainte-Maure, Ithaque, Cerigo et Paxo, avec leurs dépendances, lesquelles, en vertu du Traité signé à Paris, le 5 novembre 1815, par les Plénipotentiaires de la Grande-Bretagne, d'Autriche, de Prusse et de Russie, ont été constituées en un seul Etat libre et indépendant sous la dénomination "d'Etats-Unis des Iles Ioniennes," placé sous la protection immédiate et exclusive de Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande, ses héritiers et successeurs.

En conséquence, Sa Majesté Britannique, Sa Majesté l'Empereur des Français et Sa Majesté l'Empereur de toutes les Russies, en leur qualité de signataires de la Convention du 7 mai 1832, reconnaissent cette union, et déclarent que la Grèce, dans les limites déterminées par l'arrange-

sion of this Treaty, their said Majesties have named as their Plenipotentiaries, that is to say:

[Here follow the names of plenipotentiaries.]

Who, having exchanged their full powers, found in good and due form, have agreed upon and signed the following Articles:

ARTICLE 1. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, desiring to fulfill the wish which the legislative Assembly of the United States of the Ionian Islands has expressed to see these Islands united to Greece, has consented, under the conditions specified below, to renounce the Protectorate of the Islands of Corfu, Cephalonia, Zante, Santa-Maura, Ithaca, Cerigo, and Paxo, with their dependencies, which by virtue of the Treaty signed at Paris, November 5, 1815, by the Plenipotentiaries of Great Britain, Austria, Prussia and Russia, were constituted as a single free and independent state under the name of "the United States of the Ionian Islands" and were placed under the immediate and exclusive protection of H. M. the King of the United Kingdom of Great Britain and Ireland, his Heirs and Successors.

Consequently, Her Britannic Majesty, His Majesty the Emperor of the the French and His Majesty the Emperor of All the Russias, in their quality as signatories to the Convention of May 7, 1832, recognize this union and declare that Greece, within the limits determined by the arrange-

ment conclu à Constantinople entre les Cours de la Grande-Bretagne, de France et de Russie, avec la Porte Ottomane, le 21 juillet 1832, y compris les Iles Ioniennes, formera un Etat monarchique indépendant et constitutionnel, sous la souveraineté de Sa Majesté le Roi George, et sous la garantie des trois Cours.

. . . . .

ments concluded at Constantinople between the Courts of Great Britain, France and Russia with the Ottoman Porte, on July 21, 1832, wherein were included the Ionian Islands, shall form a monarchical State, independent and constitutional, under the sovereignty of His Majesty, King George, and under the guarantee of the three Courts.

. . . . .

# THE SCHLESWIG QUESTION, 1848

## *Address of the Provisional Government of Schleswig-Holstein to the People of Denmark, Proposing a Vote of North Schleswig as to Union with Denmark or Germany. March* 31, 1848[1]

Dänen! Das Volk in Kopenhagen hat Euren König, unsern Herzog, gezwungen, die Einverleibung Schleswigs in das Königreich Dänemark, seine Herabsetzung zu einer dänischen Provinz, zu erklären, and schon ziehen dänische Truppen in das Herzogthum Schleswig ein, um diesen Machtspruch durch Gewalt der Waffen auszuführen. Die provisorische Regierung der Herzogthümer Schleswig-Holstein hat den Entschluss gefasst, die Rechte der Herzogthümer, wie die Rechte unseres Herzogs, gegen fremden Einfluss zu sichern, und fühlt sich stark durch das Recht, welches sie vertheidigt, und durch den Beistand des ganzen deutschen Volks! Dänen, die staatliche Selbstständigkeit des Herzogthums Schleswig beruht auf festen Verträgen! Die gewaltsame Umwandelung seiner Stellung in eine Dänische Provinz ist ein Bruch des Vertrages! Die Herzogthümer haben Euch oft beigestanden als treue Dienstgenossen in Tagen der Gefahr! Ihr thut doppelt Unrecht, wenn Ihr jetzt unsere Rechte zu brechen und zu vernichten strebt. Wir wollen nur

Danes! the people of Copenhagen have compelled your King, our Duke, to proclaim the incorporation of Schleswig with the kingdom of Denmark — its degradation to a Danish province, and already are Danish troops invading the Duchy of Schleswig in order to execute this arbitrary measure by force of arms! The Provisional Government of the Duchies of Schleswig-Holstein has resolved to ensure the rights of the duchies, as well as those of our Duke, against all foreign influence, and feels itself strong in the right which it defends, and its assistance by the whole German people. Danes! the national independence of the Duchy of Schleswig rests on firm treaties. Its forcible transformation into a Danish province is a breach of those treaties. The duchies have often supported you, like faithful confederates in times of danger. You will commit an act of two-fold injustice if you now endeavour to violate and annihilate our rights. We wish only to protect our own nationality, and not to attack the independence of foreign countries.

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[1] Martens, *N. R. G.*, vol. 12, p. 252. Translation from *Memoir on the Constitutional Rights of the Duchies of Schleswig and Holstein, presented to Viscount Palmerston by* Chevalier Bunsen, April 8, 1848, p. 158. The italics are in the original.

unsere Nationalität schützen, nicht fremde Nationalität angreifen! Mag der Norden Schleswigs sich demnächst frei erklären, ob er als Provinz dem Dänischen Staate einverleibt werden, oder dem Deutschen Vaterlande folgen wolle, wir werden seinem Willen keinen Zwang anthun! Wir bieten Euch ehrliches Bündniss und personelle Gemeinschaft des Landesherrn, so lange der Mannsstamm in Dänemark herrscht, wollen uns aber einer unbeikommenden Weiberherrschaft nicht fügen! Dänen, bedenkt, was Ihr thut! Was das Recht verlangt, was Euch zum wahren Nutzen dient,— das bieten wir Euch freiwillig! Mehr könnt Ihr nicht erhalten, — wohl aber alles verlieren, wenn Ihr fortfahrt auf dem Wege der Gewalt, — das Bestehen des Dänischen Reiches selbst steht dann in Frage! Siegt Ihr im Waffenkampfe — und dies wird nicht geschehen, so lange Deutsche Herzen schlagen,— was Anderes habt Ihr dann, als ein verödetes, feindlich gesinntes Land, unerträgliche Schuldenlast und zerstörten Handel und Gewerbe. Siegen wir, wer wird uns dann hindern, Bedingungen zu stellen, die uns Sicherung geben gegen jeglichen Uebergriff für die Folge! Noch ist es Zeit! noch stehen die Heere einander gegenüber, noch hat der Kampf, die Zerstörung nicht begonnen, noch bieten wir Euch Frieden ohne Kampf.

Rendsburg den 31 März 1848.

*Let the north of Schleswig therefore freely declare whether it will be incorporated as a province with the kingdom of Denmark, or follow the German nation,*— and *we, at all events, will offer no opposition to its will.* We offer you honourable alliance, and a Sovereign personally common to both, so long as the male branch rules in Denmark, but we will not submit to an unbecoming domination of the female line.

Danes! think what you are doing! We offer you freely all that justice requires, and all that is really useful to you. More than this you cannot receive, but you will rather lose everything if you continue to pursue the path of violence, as the very existence of the Danish kingdom will then be endangered. Should you be conquerors on the battle-field,— and this will never happen, so long as German hearts pulsate on the continent of Europe,— what would you gain but a desolated and hostile territory, intolerable pecuniary burdens, and an annihilated trade? If we conquer, who will then prevent us from assigning conditions which will give us ample security for the future against any attacks or encroachments? It is not yet too late! the armies still face each other — the battle, the work of destruction, has not yet commenced — we still offer you peace without fighting!

Rendsburg, March 30, 1848.

## *Protest by the Provisional Government of Schleswig-Holstein Against the Proposal of a Separation of North Schleswig According to Nationality, Made to the Germanic Diet by the Prussian Minister for Foreign Affairs. May* 17, 1848[1]

. . . . . .

. . . Die provisorische Regierung ist völlig damit einverstanden, dass die drei von jeher behaupteten Grundsätze

1. Schleswig-Holstein ist ein unzertrennbares Ganze
2. es befindet sich im rechtlichen Besitze staats-rechtlicher Selbständigkeit und
3. der Mannsstamm des Oldenburgischen Hauses hat ein Recht auf die Staatssuccession

als Grundbasis des Friedensvertrages angenommen werden müssen. Dass diese Rechte nur durch die Aufnahme Schleswigs in den Deutschen Bund, sowie durch gänzliche Ablösung aller militärischen, finanziellen und administrativen Verhältnisse mit Dänemark sicher gestellt werden können, und die Einwilligung des Königs von Dänemark zu diesen Massnahmen daher eine nothwendige Bedingung des Friedens sein muss, darüber dürfte vom

. . . . . .

The Provisional Government is absolutely willing that the three principles stated below should be adopted as a basis for the treaty of Peace:

1. Schleswig-Holstein are inseparable.
2. This united duchy is at present in legitimate enjoyment of an independence based on public law.
3. The male line of the House of Oldenburg has the right of succession in the Duchies.

There can be no difference of opinion from the German point of view, as to the fact that these rights can be guaranteed only by the reception of Schleswig into the Germanic Confederation, as well as by the complete severance of all relations with Denmark which are of a military, financial or administrative nature, and that the consent of the King of Denmark to these measures should be a necessary condition of peace. It is with a

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[1] Martens, *N. R. G.*, vol. 12, p. 285. The opening paragraphs of the document are omitted by Martens, but given in French in British and Foreign State Papers, vol. 40, p. 1303. A translation follows:

*Rendsbourg, May* 17, 1848.

The Provisional Government of Schleswig-Holstein has been informed by the Legation of Holstein, accredited to the Germanic Diet, of the principles which Your Excellency has presented to the Diet and which should serve as a guide in adjusting the quarrel existing between Denmark and the Duchies.

The Provisional Government has seen with pleasure that Your Excellency desires an agreement as to the essential points which have been established regarding the condition of any arrangement between Denmark and the Duchies, and it believes it to be its duty, considering the importance of an early pacification, to venture to submit to Your Excellency the following observations concerning the peace proposals of your Government.

Deutschen Standpunkte aus eine Meinungsverschiedenheit nicht obwalten können. Mit besonderer Freude hat die provisorische Regierung daher erfahren, dass das Königl. Preuss. Gouvernement diese Basis für die Friedensverhandlungen als die richtige anerkennt, und sie glaubt nur den Wunsch aussprechen zu müssen, dass dieselbe nicht dadurch verrückt werden möge, dass eine Ausschliessung des nördlichen Schleswigs nach der Nationalität der Bevölkerung zwischen Dänemark und Deutschland als rechtlich zulässige Modalität offen gelassen würde. Zwar hat die provisorische Regierung gleich nach ihrer Constituirung, von dem Wunsche geleitet, den damals drohenden Kampf zu vermeiden, es dem Norden Schleswigs freigestellt, sich frei zu erklären, ob er als Provinz dem Dänischen Staate einverleibt werden, oder dem deutschen Vaterlande folgen wolle. Aber jetzt, nachdem ein blutiger Kampf grosse Opfer gefordert, kann die provisorische Regierung sich nicht für befugt halten, aus blossen Billigkeits-Rücksichten höhere Interessen und das Landesrecht selbst zu verletzen. Die Losreissung eines Theils von Schleswig und Ueberweisung desselben an Dänemark würde im entschiedensten Widerspruch mit dem Grundsatze stehen, dass die Herzogthümer ein unzertrennbares Ganze bilden und im Fall des Aussterbens des Königl. Mannsstamms des Oldenburgischen Hauses die jüngere Linie desselben in ihrem Erbfolgerecht auf die ungetheilten Herzogthümer beein-

special pleasure, therefore, that the Provisional Government has learned that the Prussian Government has recognized this basis of peace negotiations as the true one.

It believes that it should add nothing to this save an expression of the desire that this basis of peace should not be abandoned by declaring admissible the division of the northern part of Schleswig, according to the nationality of the inhabitants between Denmark and Germany. It is true that the Provisional Government, immediately after its establishment, animated by the desire to avert the threatening conflict, left it to Northern Schleswig to express itself freely as to whether it wished to be incorporated as a province of Denmark, or whether it wished to belong to the German Fatherland.

But now that a sanguinary struggle has demanded great sacrifices, the Provisional Government can not consider itself justified in infringing on higher interests and on the national rights for the sake of simple considerations of equity.

The separation of a part of Schleswig and its incorporation with Denmark would be in direct opposition with the principle that the Duchies should form an indivisible unity, and in case of the decease of the royal male line, would do injury to the right of succession of the cadet line of the House of Oldenburg over the individual Duchies.

It must be added to this that a separation of the predominantly Danish

trächtigen. Dazu kommt, dass eine Abtrennung der an Jütland grenzenden vorherrschend Dänischen Districte Schleswigs von dem übrigen Lande in den Herzogthümern und gewiss in dem ganzen Deutschen Vaterlande für eine Aufopferung deutschen Lebens und deutscher Interessen erkannt werden würde, denn bis an die nördliche Grenze Schleswigs hin wohnen zahlreich Deutsche in grösseren und kleineren Kreisen unter den Dänen, die Städte aber haben alle eine überwiegend deutsche Bevölkerung. Diese Deutschen haben während der Dänischen Zwangsherrschaft für die deutsche Sache und Gesinnung schwere Opfer willig ertragen und erwarten nun Schutz von Deutschland. Aber nicht nur die Deutschen, selbst die während der letzten Occupation fanatisirten dänisch redenden Bewohner Schleswigs wünschen, soviel uns bekannt, nicht in Dänemark aufzugehen; sie wollen Schleswiger und mit dem übrigen Schleswig verbunden bleiben. Der Schutz, welchen sie für ihre Sache und ihre nationalen Eigenthümlichkeiten mit Recht in Anspruch nehmen, wird ihnen auch bei einer innigern Verbindung mit Deutschland durch Aufnahme des Herzogthums in den Deutschen Bund in vollem Maasse zu Theil werden können. Unter diesen Umständen und da bei strenger Innehaltung der Sprachgrenze die trefflichen Häfen der überwiegend deutschen Städte Flensburg und Apenrade von den angrenzenden Landdistricten und der Insel Alsen aus jeden Augen-

districts of Schleswig bordering on Jutland from the rest of the territory would be considered in the Duchies, and certainly in the whole of Germany, as a sacrifice of Germanic rights and interests. For many Germans live among the Danes in communities more or less large, even up to the most northern frontier of Schleswig, and the cities, moreover, all have a preponderantly German population.

These Germans, during the forcible domination of the Danes, have made willingly great sacrifices for the sake of the German cause and for their political opinions, and they now expect protection from Germany. Not only the Germans, but also the inhabitants of Schleswig who speak Danish, and who have been fanaticised by the recent occupation, desire, to our certain knowledge, not to be incorporated with Denmark; they wish to remain Schleswigers, and united to the rest of the Duchy.

The protection which they are entitled to claim for their cause and their nationality might be accorded to them fully, at the time of a closer union with Germany, by the reception of the Duchies into the Confederation.

In these circumstances, and in view of the fact that, if the line of language were strictly conformed with, the excellent ports of the preponderantly German towns of Flensburg and Apenrade could be immediately blockaded from the neighboring districts and from the Island of Alsen, Ger-

blick deutscher Schifffahrt und deutschem Handel gesperrt werden könnten, darf Deutschland, darf namentlich die provisorische Regierung nicht ihre Einwilligung von vornherein zu einer solchen Lostrennung geben. Auch das Englische Cabinet wird, da es die Schleswigsche Frage als eine innere, das Herzogthum selbst betreffende Frage ansieht, nicht ohne Inconsequenz auf einer Auftheilung des Herzogthums nach Nationalitäten als Basis der Friedensunterhandlungen bestehen können. Denn eine Trennung Schleswigs zwischen Dänemark und Deutschland würde entschieden eine äussere Angelegenheit werden, während die Frage allerdings insofern eine innere ist, als es sich eines Theils darum handelt, ob die cognatische oder agnatische Erbfolge in Schleswig gilt, was bereits durch den dritten Punkt der oben angegebenen Friedensbasis entschieden ist,— und andererseits nur die Verhältnisse der Deutsch und Dänisch redenden Bewohner zur Frage stehen, welche im Herzogthum selbst bisher nicht Gegenstand offnen Streits gewesen sind, und als innere Landesangelegenheit in der zu gebenden Verfassung leicht eine befriedigende Lösung finden werden.

Die provisorische Regierung glaubt sich der Hoffnung hingeben zu dürfen, dass das Königl. Preussische Gouvernement das Gewicht der angeführten Gründe nicht verkennen und die Aufnahme des ganzen Herzogthums Schleswig unter die Grundbedingungen der Friedensverhandlungen

many and especially the Provisional Government could not give its consent beforehand to such a separation.

The British Cabinet itself, since it regards the question of Schleswig as an internal one concerning the Duchy itself, can not, without inconsistency, insist on the division of the Duchy according to nationalities, as the basis of peace negotiations.

A division of Schleswig between Denmark and Germany would most certainly become an external affair, whereas the question is assuredly an internal question since, on the one hand, it is a question whether the male or female succession should be followed in Schleswig (which has been already decided by the third point of the basis of peace proposed above), and on the other hand the relations of the inhabitants speaking German and Danish are placed in question, which up to the present time has not been a subject of open dispute in the Duchy, and which, being domestic matters, will find a satisfactory solution in the future constitution.

The Provisional Government trusts that it may feel assured that the Prussian Government will not fail to recognize the force of the reasons alleged above, and that it will be disposed to employ its good offices to the end that the reception of the Duchy of Schleswig in its entirety kräftig zu befürworten geneigen werde.

shall be established as one of the fundamental conditions of peace.

### *Reply of the Prussian Minister of Foreign Affairs to the Provisional Government of the Duchies.* May 19, 1848 [1]

. . . Die provisorische Regierung, obwohl sie früher selbst die Zulässigkeit einer solchen Abtheilung, als eines billigen und die gegenseitigen Interessen versöhnenden Ausgleichungs-Princips, anerkannt hat, ist jetzt der Ansicht, dass man das Recht Schleswigs auf völlige und unverkürzte Vereinigung mit Holstein aufrecht erhalten und zur Anerkennung bringen müsse. Die Königliche Regierung hat, auf jener früheren Ansicht der Schleswig-Holsteinschen Regierung fussend, bereits sowohl dem Bunde als dem Englischen Cabinet gegenüber sich dahin ausgesprochen, dass sie mit der Annahme jenes Princips einverstanden sei und als Basis der Auseinandersetzung eine freie Erklärung der Einwohner des nördlichen Dänisch redenden Theiles von Schleswig angenommen zu sehen wünsche. . . . Der provisorischen Regierung wird die Betrachtung nahe liegen, dass das Maass der Kraftentwicklung, welche Preussen auf die Durchführung der Angelegenheit der Herzogthümer wenden kann, wesentlich durch die allgemeine politische Lage der Dinge bedingt wird, welche täglich eine Wendung nehmen kann, die Preussen nöthigt, alle seine Kraft auf einen

. . . Although the Provisional Government has recognized in the past the admissibility of such a division as the principle of a fair and conciliatory settlement of mutual interests, it is nevertheless at the present time of the opinion that the right of Schleswig to a complete and unrestricted union with Holstein must be maintained intact and recognized. On the basis of that former view of the Schleswig-Holstein government, the Royal government has declared, both to the Confederation and to the English Cabinet, that it has agreed to accept that principle and would desire to see accepted as a basis of settlement the free expression of the Danish speaking people of the northern part of Schleswig. . . . The Provisional Government will take into account the idea that the degree of influence which Prussia may exert upon the settlement of the affairs of the Duchies is essentially dependent on the general political condition of things which may any day take such a turn as will compel Prussia to divert all her power in some other direction.

In view of such an eventuality it is proper and wise to visage the attainable and satisfactory issue, in order anderen Punkt zu richten. Angesichts solcher Eventualitäten, ist es richtig und weise, das Erreichbare und Genügende zum Ziel zu nehmen, um nicht durch absolutes Bestehen auf einer vielleicht nicht erreichbaren Forderung, möglicher Weise den ganzen Erfolg in Frage zu stellen.

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[1] Martens, *N. R. G.*, vol. 12, pp. 287–288.

not to put the entire result in jeopardy by absolutely insisting upon a demand which may possibly not be attainable.

## *Reply of the Provisional Government to the Prussian Minister.*
## *May 22*, 1848[1]

Das ungetrennte Zusammenbleiben des Herzogthums Schleswig-Holstein und aller Theile desselben beruht auf unzweifelhaftem Rechtsgrunde. Ew. Exc. scheinen hierin mit uns einverstanden und nur darauf hinzuweisen, dass bei den obwaltenden politischen Conjuncturen, ein billiges Nachgeben dem allzu starren Festhalten am Rechte vorzuziehen sei. Dass wir gerne, wo nur immer möglich zur Nachgiebigkeit bereit sind, haben wir durch unsere öffentliche Erklärung vom 31. März d. J. bethätigt. Die Gestattung der freien Wahl erschien uns damals als billiges Auskunftsmittel und ward damals als solches auch von den Herzogthümern anerkannt. Aber Dänemark wählte statt der gebotenen Ausgleichung den Volkskrieg, entfesselte dadurch jede Leidenschaft zwischen Dänen und Deutschen und was damals für billig gehalten wurde, gilt jetzt nicht mehr dafür. Eine Trennung des Landes konnte früher, wo ein friedliches Zusammenwohnen Dänischer und Deutscher Bewohner

The undivided union of the duchy of Schleswig-Holstein and all parts thereof rests on unquestionable legal grounds. Your Excellency seems to agree with us in this and to point out that, in the present political situation, an equitable concession is preferable to holding too strictly to rights. That we are glad to make concessions whenever possible, our public declaration of March 31 of this year gives proof. The granting of a free vote seemed to us at that time a fair expedient and was recognized as such by the duchies also. But Denmark chose civil war instead of the settlement which was offered, and thereby unchained every passion between Danes and Germans, and what then seemed fair now seems so no longer. A separation of the territory could have been accomplished with fairness before, when it seemed possible for Danish and German inhabitants to live together in friendly relations under Danish rule; now, however, in the short time of the armed invasion, the Danes, by kid-

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[1] Martens, *N. R. G.*, vol. 12, p. 288.

unter Dänischer Herrschaft möglich schien, mit Billigkeit ausgeführt werden, jetzt aber haben die Dänen in der kurzen Zeit des Kriegsüberzuges durch Menschenraub und jegliche Unbill dem Deutschen Theile der Bewohner die Ueberzeugung aufgedrängt, dass ihnen beim Wiedereintritt der Dänischen Herrschaft nur die Wahl zwischen Vernichtung oder Auswanderung freibleiben würde. Die Trennung Schleswigs würde ein Verbannungsurtheil für eine grosse Anzahl deutscher Familien enthalten. Der provisorischen Regierung sind deshalb noch vor Kurzem durch eine grössere Deputation der Städte Apenrade, Hadersleben, Tondern und des Amts Hadersleben die dringendsten Bitten vorgetragen worden, nur ja nicht in eine Trennung des Herzogthums zu willigen, und wir haben uns verpflichtet gehalten, das Versprechen zu ertheilen, dass wir nach Kräften für das Zusammenbleiben wirken wollten. . . . Von der andern Seite dürfte die vermittelnde Macht auch nicht wohl mit Grund auf Trennung zwischen Deutschgesinnten und Dänemark bestehen können, wenn der Grundsatz festgehalten werden soll, dass die Schleswig-Holsteinsche Sache eine innere sei und dass dem legitimen Landesherrn das Ganze erhalten werden soll. Da indessen die jetzt bestehende Gränze zwischen Dänemark und Schleswig nicht geeignet erscheint, um künftigen Irrungen vorzubeugen, so dürfte eine fest fortlaufende Gränzlinie zu vereinbaren und eine Bestimmung dahin zu treffen sein, dass von

napping and such wrongs, have forced upon the German part of the population the conviction that in case of their return to Danish rule the only choice open to them would be between annihilation and emigration. The separation of Schleswig would containtain a sentence of banishment for a great number of German families. Through large deputations from the cities of Apenrade, Hadersleben, and Tondern, and from the administrative district of Haldersleben, there has recently been presented to the Provisional Government the most urgent petitions never to consent to a division of the duchy, and we have bound ourselves by a promise to work with all our powers for the maintenance of the union. . . . On the other hand the mediating power could not in reason insist on a separation of those disposed toward Germany from Denmark, if the principle is adhered to that the Schleswig-Holstein affair is an internal one and that the whole shall be given to the legitimate ruler. Since in the meantime the present boundaries between Denmark and Schleswig do not seem suited to prevent future misunderstandings, a continuous boundary line should be drawn and an arrangement made so that the Kingdom of Denmark should cede to the Duchy of Schleswig in the West Sea the island territories of Westerland-Föhr, Amrum, Norderland-Sylt, Süderland-Romoe and Fanoe with the ocean territories to 55° 20′ and on the mainland the county of Schackenburg, Treuburg

Seiten des Königreichs Dänemark in der Westsee die Inselgebiete Westerland-Föhr, Amrum, Norderland-Sylt, Süderland-Romoe und Fanoe mit dem Seegebiete bis 55° 20′ und auf dem Festlande die Grafschaft Schackenburg, Treuburg und die übrigen Enclaven, mit Ausnahme der Stadt Rypen sammt Stadtgebiet, an das Herzogthum Schleswig abzutreten wären, wogegen das Herzogthum Schleswig einen der Einwohnerzahl der abgetretenen Gebietstheile entsprechenden Antheil vom Amte Hadersleben, im Auschluss von dem Gebiete der Stadt Rypen und Jütland, wieder zurückgeben müsste. Wir ersuchen Ew. Exc. die Stellung der provisorischen Regierung in billige Erwägung zu ziehen. Die uns gestellte Aufgabe besteht nur darin, den Landesrechten und Landeswünschen die versagte Anerkennung zu verschaffen; mit dieser Aufgabe würden wir in Widerspruch treten und unser Mandat überschreiten, wenn wir freiwillig in die Trennung Schleswigs, als Basis der Friedens-Unterhandlung willigten. Wir dürfen Ew. Exc. demnach dringend ersuchen, die Untheilbarkeit der Herzogthümer kräftigst zu befürworten, und benutzen mit Vergnügen u. s. w.

Rendsburg den 22. Mai 1848.

*Die provisorische Regierung der Herzogthümer Schleswig-Holstein.*

and the other *enclaves* with the exception of the city of Rypen with its domain; in return for which the Duchy of Schleswig should return a part of the district of Hadersleben, corresponding in number of population to the ceded territories, excepting the domain of the city of Rypen and Jutland. We beg Your Excellency to consider with fairness the position of the Provisional Government. The task to which we have been put consists merely in this, to obtain the denied recognition for the rights and wishes of the country. We should contradict our duty and overstep our authority, then, if we consented freely to the separation of Schleswig, as a basis for the peace negotiations. We may therefore earnestly beg Your Excellency to recommend the indivisibility of the duchies, and remain, etc.

Rendsburg, May 22, 1848.

*The Provisional Government of the Duchies of Schleswig-Holstein.*

## *Correspondence Between the British Secretary of State for Foreign Affairs and the Prussian Minister in London, Concerning the Prussian Proposal of a Division of Schleswig According to Nationality, May and June,* 1848 [1]

### THE BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS TO THE PRUSSIAN MINISTER IN LONDON

*Foreign Office, May* 19, 1848.

M. LE CHEVALIER,

I will send a copy of your proposed note this evening to Sir H. Wynn, together with its 2 annexes, but I beg to make some remarks on those annexes.[2]

. . . . . . . . . . . .

With regard to the second annex, Sir H. Wynn shall be instructed to recommend for the consideration of the Danish Government an arrangement founded on the principle proposed in that annex, viz., that the Duchy of Schleswig shall be divided into two parts with reference to the national character of its inhabitants, and that the southern or German part shall, like Holstein, become a member of the German Confederation, and that the northern or Danish part shall then be constitutionally incorporated with the Kingdom of Denmark.

It being, of course, to be understood that any German inhabitants of the Danish portion should enjoy perfect liberty to educate their children in the German language if they chose it, just as any Danish inhabitants of the German part should be free to educate their children in the Danish language if such should be their desire.

It is indeed understood that in Schleswig, as in most other countries in which two different races are settled and two different languages are spoken, the two races are not locally separated by any one line which divides everything that is of one race from everything that is of the other; and that although in one part of the country one race predominates, and in the other part the other race is the most numerous, yet there are many portions of the territory where one race is partially mixed with the other. Therefore the line of demarcation, wherever it may be drawn, can only separate majority from majority, but can not be expected to leave all the Germans on one side and all the Danes upon the other.

With regard to the mode of drawing such a line, if the principle of doing so should be agreed upon, I would suggest for the consideration of the parties, whether it might not be possible for the Danish Government and the Diet to come to an understanding upon this matter with reference to known or ascertainable statistical facts, without going through the difficult process of a detailed appeal to all the inhabitants of each district. Such an appeal must be conducted by some executive authority, and it might not be easy for all the parties concerned to agree as to the constitution of such an authority.

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[1] *Brit. St. Pap.,* vol. 40, pp 1305–1319.

[2] The text of the note and annexes referred to cannot be found in the sources at disposal.

I am, &c.

*Le Chevalier Bunsen.* PALMERSTON.

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### THE PRUSSIAN MINISTER IN LONDON TO THE BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

(Translation) *Prussian Legation, June* 12, 1848.

MY LORD,

I have the honour to inclose to your Lordship observations on the proposals for an armistice which were presented to you from Count Reventlow, as the Danish view of the question, on the 18th, of last month, and which you communicated to me verbally on the same day, and in writing on the following.

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I have, &c.

*Viscount Palmerston, G. C. B.* BUNSEN.

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(Inclosure 1.) *Observations upon the Danish Proposals for an Armistice of May* 18

(Translation) *Prussian Legation, June* 12, 1848.

The Danish proposal is inadmissible in point of form and in point of matter.

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If the object of Articles IV and V [1] should simply be to protect, during the armistice, the Danish majority in the country districts of North Schleswig, and to secure to them a perfectly free and unbiased expression of their political opinions as to an incorporation with Denmark, it would be easy to meet such a demand in the following manner:

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[1] Articles 4 and 5 of the Danish Project of Armistice:

4⁰. Le Duché de Slesvig, y compris les îles, sera évacué dans toute son étendue par les troupes de la Confédération et par celles du Danemarc.

5⁰. Le Gouvernement Provisoire continuera de diriger les affaires du pays au nom de Sa Majesté le Roi de Danemarc jusqu'à ce que la question litigieuse soit réglée définitivement. Le pays sera mis à l'abri de toute agression de la part du Danemarc par la garantie de l'Angleterre.

(Translation)

4. The Duchy of Schleswig, including the islands, shall be completely evacuated by the troops of the Confederation and by those of Denmark.

5. The Provisional Government shall continue to direct the affairs of the country in the name of His Majesty the King of Denmark until the question in dispute shall be finally adjusted. The country shall be protected from any aggression on the part of Denmark, by the guarantee of England.

The 2 belligerent parties, Germany and Denmark, might send to Schleswig each a political Commissioner, and England, as mediating Power, might send a third. The common object of these Commissioners would be to see that everything respecting the 2 nationalities was carried on by the Provisional Government with perfect impartiality. The representative of the mediating Power would, besides, in case of difference of opinion, act as umpire.

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### THE BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS TO THE DANISH AND PRUSSIAN MINISTERS IN LONDON

*Foreign Office, June* 23, 1848.

SIR,

Her Majesty's Government have highly appreciated the confidence which has been manifested towards the British Crown by the consent of Denmark on the one hand and of Prussia and the Germanic Diet on the other, to accept the good offices of Great Britain as mediator in a negotiation for the settlement of the differences which have arisen upon the subject of the Duchy of Schleswig.

. . . . . . . . . . .

I beg accordingly to submit for your consideration and for that of the Prussian Government, the following Articles which Her Majesty's Government would propose to the 2 parties for an armistice, accompanied by an agreement as to the general principle upon which the Schleswig question should be settled.

*Proposed Articles*

1. Hostilities between the Danish and German forces shall cease by sea and by land, as soon after the signature of these Articles as the necessary orders can be given. All blockades will at the same time be raised.

. . . . . . . . . . .

IV.[1] Immediately on the conclusion of this armistice the troops of both parties shall evacuate the whole of the Duchy of Schleswig, the Island of Alsen being deemed and considered as part of that duchy; the Danish troops retiring to the north, and the German troops to the south. Any free corps which may have been raised in Schleswig shall be disbanded, the men and officers being sent to their homes; and any regular Schleswig troops which may have been serving either with the Danish or with the German troops, shall either retire out of the Duchy with the troops with which they have been serving, or be sent to their homes on furlough.

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[1] The articles omitted concern the question of prisoners and indemnities.

V. It being necessary to provide for the temporary administration of the Duchies of Schleswig and Holstein, during the interval which may elapse before the final settlement of all matters in dispute shall be so completely adjusted as to allow of the entire reestablishment of the regular order of administration in both Duchies; it is agreed that a temporary Administrative Commission shall be appointed to conduct the affairs of the 2 Duchies, in the name and on behalf of the King-Duke. This Commission shall consist of 7 members, 3 whereof to be named by the King-Duke, 3 by the Diet, and the seventh (who is to act as President) in a manner to be hereafter agreed upon.

This Council is simply to carry on the usual administration of the Duchies, and is not to be invested with any legislative power.

As the appointment of this Commission is intended to be a step towards conciliation and peace, and is meant for the purpose of allaying those party animosities to which recent events have necessarily given birth, the persons who are to be named as members of this Commission are to be persons who have not taken any active part, one way or the other, in the late political transactions in the 2 Duchies.

VI. The further condition of the Duchy of Schleswig shall be settled upon one or other of the 2 following plans, according to the choice of the King-Duke:

First, the Duchy of Schleswig might be divided into 2 parts with reference to the German or Danish nationality of its inhabitants, the southern and German part being to be called the Southern Duchy, the northern or Danish part being to be called the Northern Duchy. The King would then become a member of the German Confederation in his capacity of Duke of Southern Schleswig, as well as in his capacity of Duke of Holstein, and Southern Schleswig would, like Holstein, form part of the territory of the German Confederation, and the sovereignty of Southern Schleswig would follow the same line of succession as the sovereignty of Holstein. On the other hand, Northern Schleswig would be attached by its law of succession to the Crown of Denmark, and the sovereignty of that Duchy would be inseparably united with the Danish Crown. Secondly, if this arrangement should not be thought expedient, the Duchy of Schleswig might remain entire and undivided such as it is now; it might continue to be administered as it has been, by an administration established for Schleswig and Holstein jointly; and there should also be provincial states in which the representatives of the 2 Duchies would be assembled together in their proper respective proportions.

In this case the King of Denmark would remain as he now is, a member of the Germanic Confederation in his capacity of Duke of Holstein, but he would not become member of the Confederation in his capacity of Duke of Schleswig.

No change in this case would be made in the law of succession in Schleswig.

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I am, &c.

*Count Reventlow.* PALMERSTON.
*Chevalier Bunsen.*

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### THE PRUSSIAN MINISTER IN LONDON TO THE BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS

*Prussian Legation, June* 24, 1848.

MY LORD,

I have had the honour of receiving last night the note of yesterday, which you have addressed to me, and I shall not fail to forward it without delay to Her Majesty's Government.

But in order to enable the Prussian and the Federal Government to form immediately a clear and decided opinion on the proposals of a final settlement contained in your Lordship's note, I lose no time in directing your attention to certain points in the Articles, which appear to me somewhat obscure, and with regard to which I can foresee that the Prussian and Federal Government will find themselves in want of immediate further explanation.

. . . . . . . . . . . .

Respecting the first of the 2 proposals for a final settlement contained in Article VI, namely, that which you designate briefly as a division of the Duchy of Schleswig, I feel it only my duty here to repeat, that Germany can not give up the principle declared on all occasions, that no separation of any part of Schleswig can ever be thought of, unless the population in the northern districts themselves declare, by an open and unbiassed manifestation of their intention to that effect, that they will be separated from the rest of the duchy.

I have, &c.

*Viscount Palmerston, G. C. B.* BUNSEN.

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[1] *British and Foreign State Papers,* vol. 40, pp. 1319–1322.

## *Extract from the Discussion of the German National Assembly. Session of June* 9, 1848 [1]

**Schmerling von Wien.**[2] . . . Als Grundbedingung eines jeden Friedensschlusses mit Dänemark ist von Seiten des deutschen Bundes ausdrücklich anerkannt worden, dass ganz Schleswig Deutschland verbleibe; dass kein Theil von Schleswig, wenn nicht der laute, unverhohlen und überzeugend ausgesprochene Wille eines Theils der Bevölkerung im entgegengesetzten Sinne sich äussert, von Deutschland getrennt werden dürfe. Schleswig ist erst jetzt ein Theil von Deutschland geworden, Schleswig soll erst staatsrechtlich zu Deutschland kommen, und da ist es immerhin noch möglich, dass Diejenigen, welche diese Verbindung nicht wünschen, gegen ihren erklärten Willen nicht dazu gezwungen werden sollen. Ich bin fest überzeugt, nach dem, was die verehrten Mitglieder für Schleswig und Holstein mir oft eröffneten, dass kein Theil von Schleswig je daran denken wird, von dem andern Theil sich zu trennen und bei Dänemark zu bleiben; allein ich habe geglaubt, gegen den Willen der Völker sollte über sie nicht verfügt werden dürfen, und darum glaube ich, dass es kein Treubruch an der Sache Schleswigs, kein Verrath an der Sache Deutschlands wäre, wenn, den Fall angenommen, dass auch ein Theil Schleswigs den Wunsch aussprechen würde, nicht bei Deutschland zu blei-

**Schmerling von Wien.**[2] . . . As a basic condition of any conclusion of peace with Denmark, it has been expressly recognized by the German Confederation that the whole of Schleswig shall remain with Germany: that no part of Schleswig may be separated from Germany, unless the distinct, free and conclusively uttered will of a part of the population has expressed itself in the contrary sense. Schleswig has but now become a part of Germany. Schleswig shall first become a national part of Germany, and it is, therefore, still possible for those who do not desire such a union, that they shall not be compelled thereto against their expressed will. I am firmly convinced because of what the honorable members from Schleswig and Holstein have often told me, that no part of Schleswig will ever think of separating from the other part and of re~~maining part of~~ Denmark; but I have been of the opinion that peoples should not be disposed of against their will and, therefore, I believe that it would be no breach of faith to the cause of Schleswig, no treason against the cause of Germany, if, supposing that a part of Schleswig should express the desire not to remain as a part of Germany, this desire should be complied with; . . .

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[1] Martens, *N. R. G.*, vol. 12, p. 299.

[2] Envoy from Austria and President of the Germanic Diet.

ben, diesem Wunsche entsprochen werden dürfte; . . .

Wurm von Hamburg: . . . England seinerseits kann nicht wünschen, dass Dänemark den Schlüssel zur Ostsee in russiche Hände überantwortet, es wird nicht die Schutzherrschaft Dänemarks den Russen allein überlassen wollen. Sind das Russlands Absichten, so wird es ihre Ausführung nicht von dem Besitz einiger Aemter in Nord-Schleswig abhängen lassen. Allerdings hat die provisorische Regierung von Schleswig-Holstein in einem Aufruf vom 30. März unter Anderm erklärt, sie wolle frei abstimmen lassen, die Männer von Nord-Schleswig sollten nach eigener freier Wahl erklären, ob sie wollten Deutsche oder Dänen sein. . . .

Raumer von Berlin: . . . Man hat dänischer Seits zuerst zu London einen Plan zur Abschliessung eines Waffenstillstandes überreicht. Bei weiteren Verhandlungen mit Englang ergab sich nur einige Schwierigkeit, nämlich, dass der Gedanke selbst in Schleswig-Holstein auftauchte, dass man in besonderer Beziehung auf den nördlichen Theil von Schleswig den sämmtlichen Bewohnern die freie Wahl zugestehen sollte, wohin sie sich wenden wollten. Dieser Punkt war in den weiteren Verhandlungen und Vorschlägen nicht ganz zu umgehen. Sonst lauten die Friedensvorschläge, die zuletzt von Lord Palmerston in London angenommen und in Kopenhagen empfohlen wurden, im Wesentlichen folgendermaassen: 1) Der König von Dänemark nimmt

Wurm von Hamburg: . . . England, on her part, can not desire that Denmark should deliver the key to the Baltic Sea into Russian hands; she will not leave the protection of Denmark to the Russians alone. If such are the intentions of Russia, the latter will not let their execution depend on the possession of a few offices in North Schleswig. To be sure, the Provisional Government of Schleswig-Holstein, in a proclamation of March 30, has declared among other things, that it would have a free vote taken, that the men of North Schleswig should declare by their own free election if they would be German or Danish. . . .

Raumer von Berlin: . . . On the part of Denmark there was at first a plan submitted in London for the conclusion of an armistice.

In the course of further negotiations with England there arose but one difficulty, to wit, that in Schleswig-Holstein the idea gained ground that with special reference to the northern part of Schleswig, free election should be granted to all the inhabitants, to determine in what direction they would turn. Consideration of this matter in subsequent negotiations and propositions could not be entirely avoided. In all other respects, the peace propositions which were finally accepted by Lord Palmerston in London and recommended in Copenhagen read essentially as follows:

den Beschluss der Einverleibung Schleswigs in das Königreich Dänemark zurück, und erkennt das Recht Holsteins auf unzertrennliche Verbindung mit Schleswig an. Die Verbindung mit Dänemark bezieht sich nur auf die Herrschaft des Hauses Oldenburg im Mannsstamme. 2) Durch gütliche Verständigung wird die Trennung der Finanzen, des Heeres, der Flotte und der Schulden eintreten. 3) Dänemark willigt in die Aufnahme der beiden Herzogthümer in den deutschen Bund. Doch soll dem nördlichen Theile Schleswigs erlaubt sein, sich frei und offen über eine Vereinigung mit Dänemark zu erklären. Diese Bedingungen sind vorzugsweise von Preussen aufgestellt worden, in Uebereinstimmung mit den hiesigen Beschlüssen und Wünschen, und nur eine schon bemerkte Bedingung über das nördliche Schleswig musste modificirt werden. . . .

Michelsen aus Nordschleswig: . . . Es darf Sie nicht verwundern, wenn ich als Nordschleswiger im Namen einer dänischredenden Bevölkerung erkläre: Wir wollen nicht Dänen werden; weil wir es nicht sind, können wir es auch nicht werden. Wir sind auch durchaus der Ansicht (in dem District, den ich zu vertreten die Ehre habe), dass man uns nicht von Schleswig abtrennen kann. Wenn daher ein Friede geschlossen würde, der in Widerspruch stände mit diesem Recht, ein Friede, der uns aufopfern würde im Widerspruche mit dem Rechts- und Nationalgefühl: es wäre das ein Friede, der die Ehre Deutschlands verletzt. . . .

(1) The King of Denmark withdraws his decision anent the incorporation of Schleswig with the Kingdom of Denmark and recognizes the right of Holstein to indivisible union with Schleswig. The union with Denmark refers only to the sovereignty of the Oldenburg House, agnatic line. (2) The finances, separation of the army, the fleet and the debts shall be arrived at by means of an amicable understanding. (3) Denmark consents to the incorporation of both duchies in the German Confederation, but it shall be permitted to the northern part of Schleswig, to declare freely and openly with regard to a union with Denmark. These conditions were set up primarily by Prussia in agreement with the decisions and wishes as here set forth, and only one condition, already remarked upon concerning North Schleswig, had to be modified. . . .

Michelsen of North Schleswig: . . . It must not surprise you if I, as from North Schleswig, in the name of a Danish-speaking population now declare that we do not want to become Danes, because we are not Danes, and because we can not become Danes. In the district which I have the honor to represent, we are of one opinion and that is that we can not be separated from Schleswig. Therefore, should a peace be concluded in conflict with this right, and a peace sacrificing us, contrary to the sentiment of right and of national feeling, this would be a peace that would tarnish the honor of Germany. . . .

Gulich von Nord-Schleswig: Wir waren keine Dänen, wir sind keine Dänen, wir wollen keine Dänen werden und unsere Committenten ebensowenig. . . .

Waitz aus Göttingen: . . . Die preussische Regierung hat noch daran festgehalten . . . was die provisorische . . . Regierung Schleswig-Holsteins selbst ausgesprochen, und bis heute nicht öffentlich zurückgenommen hat, dass diejenigen Theile Nord-Schleswigs, welche nicht deutsch sein wollen, ihre Wege für sich gehen und den Dänen sich anschliessen können. Ist das mehr als Gerechtigkeit, ist das mehr, als was Sie in anderer Beziehung jeden Tag fordern? . . .

Heckscher aus Hamburg: . . . Der ganze Inhalt, die ganze Richtung meiner Berichterstattung war, das unzweideutige Recht der Herzogthümer auf ihre Selbständigkeit, auf ihre unzertrennliche Verbindung und auf die agnatische Erbfolge hinzustellen; er hat keinen andern Inhalt; aber davon habe ich getrennt eine andere Frage: hat Deutschland ein Recht darauf, ein begründetes, erworbenes, nothwendig anzuerkennendes Recht, es solle ihm das ganze Herzogthum Schleswig einverleibt werden? . . .

Ja, Sympathien für Deutschland sind in Schleswig vorhanden, das ist Thatsache. Von allen Boten aus jenem Lande, von den Abgeordneten von dorther ist diess einstimmig behauptet worden. Ich könnte aber sagen, dass dort eine Fülle umfangreicher Zweifel in dieser Beziehung statt-

Gülich of North Schleswig: We were not Danes, we are not Danes, we and our constituents do not desire to be Danes. . . .

Waitz of Göttingen: . . . The Prussian Government still insists . . . upon what the provisional . . . Government of Schleswig-Holstein itself has expressed and to this day not withdrawn, that is to say, that those parts of North Schleswig which do not desire to be German may go their own way and join the Danes. Is this anything more than justice, is this more than what you in other respects would demand every day. . . .

Heckscher of Hamburg: . . . The entire contents, the whole tenor of my report was to present the indubitable right of the Duchies to their independence, to their indivisible union and to the agnatic succession; it has no other purport; but for this I have set apart another question: has Germany a right, has Germany a well founded and well acquired right that should of necessity be recognized, to incorporate the entire duchy of Schleswig? . . .

Yes, it is a fact that in Schleswig there exist sympathies for Germany. This has been unanimously asserted by all witnesses from that country, from the representatives of that country. I might say, however, that great doubts exist there in this respect and that the Provisional Gov-

finden und dass die provisorische Regierung zuerst auf das Recht der freien Wahl als volksthümlich provocirt hat. . . .

ernment was the first to invoke the right of the people to a free choice. . . .

*Dispatch of the French Minister of Foreign Affairs to the French Plenipotentiary at London. March* 20, 1864 [1]

*Paris, le* 20 *mars* 1864.

Prince, le Gouvernement britannique fait en ce moment de nouvelles demarches pour provoquer la réunion d'une Conférence, et les parties belligérantes ne paraissent plus aussi opposées qu'elles l'étaient précédemment à l'ouverture des négociations. Vous savez que nous n'avons point d'objections à y participer, si elles sont acceptées par toutes les autres Cours, et je vous ai fait connaître à ce sujet les intentions du Gouvernement de l'Empereur par ma dépêche du 14 de ce mois. Mais, avant de prendre place dans la Conférence, je désire que vous fassiez part au Cabinet de Londres les idées et des sentiments que nous y apporterons. Cette communication tout amicale expliquera peut-être mieux que nous n'avons eu l'occasion de le faire jusqu'ici la ligne de conduite suivie par le Gouvernement Impérial dans le différend dano-allemand. Elle contribuera aussi, je l'espère, à faire cesser les suppositions d'arrière-pensées qu'on nous a si gratuitement prêtées.

En nous associant à cette tentative de pacification, nous nous trouverons

*Paris, March* 20, 1864.

Prince, the British Government is at this moment taking new steps to bring about the meeting of a conference, and the belligerent parties do not appear as opposed as formerly to the opening of negotiations. You are aware that we have no objection to participating in them, if they are accepted by all the other Courts, and I have acquainted you with the intentions of the government of the Emperor on this subject by my dispatch of the 14th of this month. But, before taking part in the conference, I desire you to impart to the Cabinet at London the ideas and sentiments which we shall bring there. This wholly amicable communication will perhaps explain better than we have had the opportunity of doing up to now, the line of conduct followed by the Imperial Government in the Dano-German dispute. It will contribute also, I hope, to the ending of the suspicions of *arrière-pensées* which have been so gratuitously imputed to us.

In associating ourselves with this attempt at pacification, we shall find en présence de deux grands intérêts. D'un côté, nous avons à tenir compte de stipulations arrêtées dans des vues d'équilibre européen et revêtues de la signature de la France; de l'autre, il est impossible de nier les sentiments de répulsion qui s'élèvent contre l'œuvre des plénipotentiaires de 1852. Nous sommes loin de contester la sagesse de la combinaison que le Traité de Londres a eu pour objet de placer sous la sauvegarde du droit public de l'Europe, et si, faisant abstraction de l'opposition de l'Allemagne et des manifestations des Duchés, nous étions libres d'obéir à la seule inspiration de nos sympathies traditionnelles pour le Danemark, tous nos efforts seraient consacrés à maintenir cette transaction. Mais il ne nous est pas permis de méconnaître les obstacles qui s'opposent à l'exécution pure et simple du Traité de 1852. Si, pour quelques Puissances, le Traité de Londres a une existence séparée et une autorité qui lui est propre, indépendamment des engagements conclus à la même époque entre l'Allemagne et le Danemark, pour d'autres, au contraire, il est subordonné à ces mêmes engagements, dont on ne saurait le séparer. Parmi les Etats allemands, les uns ont refusé leur adhésion ou ne l'ont accordée que sous une forme restrictive; les autres, après y avoir adhéré naguère, s'en déclarent affranchis maintenant. Enfin, la Confédération germanique semble contester la valeur d'un acte auquel elle n'a pas concouru.

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[1] *Affaires Étrangères de la France. Documents diplomatiques, 1864, Affaire des duchés de l'Elbe,* p. 15.

En présence de cette diversité d'ap-

ourselves in the presence of two great interests. On one side we must take account of the agreements drawn up with the view to European equilibrium and bearing the signature of France; on the other, it is impossible to deny the sentiments of repulsion which have arisen against the work of the plenipotentiaries of 1852. We are far from contesting the wisdom of the arrangement which the Treaty of London aimed to place under the safeguard of the public law of Europe, and if, without taking into consideration the opposition of Germany and the manifestations of the Duchies, we were free to obey only the inspiration of our traditional sympathy for Denmark, all our efforts would be devoted to the maintenance of this compromise. But it is impossible for us to ignore the obstacles which confront the pure and simple execution of the treaty of 1852. If, for some Powers, the Treaty of London has a separate existence and an authority which is proper to it, independent of the engagements concluded at the same time between Germany and Denmark, for the others, on the contrary, it is subordinate to these same engagements, from which it can not be separated. Among the German States, some have refused their adhesion or have given it in only a restricted form; others, after having first adhered to it, have now openly denounced it. Finally, the Germanic Confederation appears to contest the value of an act in which it has not concurred.

In the presence of this diversity of

préciations qui fera naître d'insurmontables difficultés, il me paraît indispensable d'examiner les intérêts impliqués dans la guerre actuelle, sans se préoccuper exclusivement de la lettre du Traité.

La cause, comme le caractère distinctif de cette lutte, est évidemment la rivalité des populations qui composent la monarchie danoise. Il existe chez chacune d'elles un sentiment national dont la force ne saurait être mise en doute. Quoi donc de plus naturel, à défaut d'une règle unanimement acceptée, que de prendre pour base le vœu des populations? Ce moyen, conforme aux véritables intérêts des deux parties, nous paraît le plus propre à amener un arrangement équitable et offrant des garanties de stabilité. En demandant l'application d'un principe fondamental de notre droit public, et en réclamant pour le Danemark comme pour l'Allemagne le bénéfice de ce principe, nous croyons proposer la solution la plus juste et la plus facile de cette question, qui excite dans toute l'Europe une si vive inquiétude.

Agréez, etc.

(Signé) Drouyn de Lhuys.

opinion which will give birth to insurmountable difficulties, it appears to me indispensable to examine the interests involved in the present war, without being preoccupied exclusively with the letter of the treaty.

The cause, like the distinctive character of this struggle, is evidently the rivalry of the populations which compose the Danish monarchy. With each there exists a national sentiment whose strength can not be doubted. What more natural, in default of a rule unanimously accepted, than to take for basis the wish of the populations? This method, which conforms with the true interests of the two parties, appears to us to be the most suited to effect an equitable arrangement and as offering guarantees of stability. In demanding the application of a fundamental principle of our public law, and in claiming for Denmark and for Germany the benefit of this principle, we believe ourselves to be proposing the most just and the easiest solution of this question, which is exciting throughout Europe such a lively disquiet.

I avail, etc.,

Signed, Drouyn de Lhuys.

## *Protocols of Conferences Held at London between Great Britain, Austria, Denmark, France, Germanic Confederation, Prussia, Russia, and Sweden and Norway, for the Reestablishment of Peace between Austria, Prussia, and Denmark. April* 25 *to June* 22, 1864[1]

### SUMMARY OF THE DELIBERATIONS OF THE CONFERENCE OF LONDON OF APRIL 25 TO JUNE 22, 1864[2]

A l'invitation du Gouvernement de Sa Majesté Britannique, les Plénipotentiaires des Cours d'Autriche, de Danemark, et de France, de la Confédération Germanique, des Cours de Prusse, de Russie, et de Suède et Norvège, se sont réunis en Conférence, à Londres, dans le but de s'entendre sur les arrangements à prendre d'un commun accord, afin de rétablir la paix entre le Danemark et l'Allemagne.

La première réunion a eu lieu le 25 Avril.

. . . . .

Le premier soin des Plénipotentiaires de la Grande Bretagne a eu pour object d'inviter les belligérants à consentir à une suspension des hostilités; mesure préalable également réclamée dans l'intérêt de l'humanité et dans celui des négociations confiées aux soins de la Conférence.

Cette proposition, faite par le Comte Russell dans la séance du 25 Avril, a été appuyée unanimement par les Plénipotentiaires de France, de Russie, et de Suède.

On the invitation of the Government of His Britannic Majesty, the Plenipotentiaries of the Courts of Austria, Denmark, France, the Germanic Confederation, Prussia, Russia, and of Sweden and Norway, have met in Conference at London, with the object of agreeing on the arrangements to be taken by common consent, to restore peace between Denmark and Germany.

The first meeting took place on April 25.

. . . . .

The first care of the Plenipotentiaries of Great Britain was to invite the belligerents to consent to a suspension of hostilities; a preliminary measure equally demanded by the interests of humanity and by those of the negotiations confided to the care of the Conference.

This proposition, made by Earl Russell at the session of April 25, was unanimously supported by the Plenipotentiaries of France, of Russia and of Sweden.

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[1] *Brit. St. Pap.*, vol. 54, p. 173; Martens, *N. R. G.*, vol. 17, pt. 2, p. 347. The Plenipotentiaries were — for Austria, Count Apponyi and M. de Biegeleben; for Denmark, MM. de Quaade, de Bille and Krieger; for France, Prince de la Tour d'Auvergne; for the German Confederation, Baron de Beust; for Great Britain, Earl Russell and the Earl of Clarendon; for Prussia, Count Bernstorff and M. de Balan; for Russia, Baron de Brunnow, and for Sweden and Norway, Count Wachtmeister. *Ibid.*, 348.

[2] Extracts from the annex to Protocol No. 12, June 25, 1864, *Br. St. Pap.*, vol. 54, p. 289.

Une discussion prolongée s'est engagée sur la suspension simultanée des hostilités par terre et sur mer. Le Gouvernement Danois a insisté d'abord sur le maintien du blocus, qu'il considérait comme l'équivalent de l'occupation des Duchés par les troupes alliées.

. . . . .

Nous abrégerons le récit de ce long débat. Dans l'opinion des Représentants des Puissances neutres il eût été préférable de conclure un armistice régulier, d'une certaine durée, afin de laisser aux négociations toute la latitude nécessaire. Les Cours de Prusse et d'Autriche se sont montrées prêtes à consentir à cette proposition. Le Cabinet Danois n'a point voulu y adhérer, car les mesures de représailles par mer étant les seules qui fussent au pouvoir du Danemark, il est facile à comprendre que les Plénipotentiaires Danois n'aient pas voulu priver leur Gouvernement de cette arme, pendant un espace de temps trop prolongé, surtout dans la Baltique, où la navigation est de courte durée.

Nous indiquons cette considération dans un esprit de strict équité, quelque nuisible que fût pour la négociation elle-même la restriction apportée par le Danemark à la suspension des hostilités.

Le Gouvernement Danois l'a limitée à 4 semaines, savoir, du 12 Mai, au 12 Juin.

. . . . .

Après avoir obtenu ce premier résultat, les Plénipotentiaires de la Grande Bretagne ont proposé de

A prolonged discussion was engaged in as to the simultaneous suspension of hostilities by land and by sea. The Danish Government insisted at once on the maintenance of the blockade, which it considered as the equivalent of the occupation of the duchies by the Allied troops.

. . . . .

We shall shorten the recital of this long debate. In the opinion of the Representatives of the neutral Powers it would have been preferable to conclude a regular armistice, of certain duration, in order to leave to the negotiations all the latitude necessary. The Courts of Prussia and of Austria showed themselves ready to consent to this proposition; the Danish Cabinet did not at all wish to adhere to it, for the measures of reprisal by sea being the only ones in the power of Denmark, it is easy to understand that the Danish Plenipotentiaries did not wish to deprive their Government of this arm for too long a term, especially in the Baltic where the navigation season is short.

We indicate this consideration in a spirit of strict equity, however prejudicial the restriction made by Denmark to the suspension of hostilities was to the negotiations themselves.

The Danish Government has limited it to four weeks, that is to say from May 12 to June 12.

. . . . .

After having obtained this initial result, the Plenipotentiaries of Great Britain proposed to proceed, procéder, dans la prochaine séance, à la discussion de préliminaires de paix.

Dans ce but, le 12 Mai Lord Russell, . . . a reconnu qu'il appartenait à MM. les Plénipotentiaires d'Autriche et de Prusse d'exposer les motifs qui ont engagé leurs Gouvernements à occuper une grande partie du territoire Danois, et de faire connaître les intentions de leurs Cours en vue du rétablissement d'une paix solide.

En réponse à cet appel, M. le premier Plénipotentiare de Prusse a cru devoir déclarer que les Puissances Allemandes, avant d'entrer en discussion sur les conditions du rétablissement de la paix avec le Danemark, doivent faire observer qu'elles regardent " le terrain de la discussion comme entièrement libre de toute restriction résultant d'engagements qui peuvent avoir existé avant la guerre entre leurs Gouvernements et le Danemark." " En revendiquant ainsi pour elles-mêmes une entière liberté de discussion et la faculté de faire telles propositions qu'elles jugeront de nature à assurer une pacification solide et durable, les Puissances Allemandes n'entendent exclure aucune combinaison qui pourra servir à faire atteindre ce but, sans porter préjudice à des droits acquis."

Les développements dans lesquels MM. les Plénipotentiaires des Cours Allemandes sont entrés à ce sujet durant les séances du 12 et du 17 Mai ont mis au grand jour une divergence complète d'opinion entre tous les

at the next session, to a discussion of the preliminaries of peace.

To this end, on May 12, Lord Russell, . . . recognized the fact that it is for the Plenipotentiaries of Austria and of Prussia to explain the motives which led their Governments to occupy a great part of the Danish territory, and to make known the intentions of their Courts in view of the restoration of a durable peace.

In answer to this appeal, the First Plenipotentiary of Prussia thought it his duty to declare that the Germanic Powers, before entering on a discussion of the conditions of the restoration of peace with Denmark, must observe that they regard " the field of discussion as entirely free from all restrictions resulting from engagements which may have existed before the war between their Governments and Denmark." " In thus claiming for themselves full freedom of discussion and the faculty of making such propositions as they judge to be of a nature to assure a solid and durable pacification, the Germanic Powers have no intention of excluding any arrangement which could serve to cause the attainment of this end, without prejudicing rights already acquired."

The developments into which the Plenipotentiaries of the Germanic Courts have entered on this subject during the sessions from May 12 to 17 have brought to light a complete divergence of opinion between all the

Membres de la Conférence quant à la validité des engagements résultant du Traité de Londres de 1852.

MM. LES PLÉNIPOTENTIAIRES DE LA GRANDE BRETAGNE ont maintenu le respect dû aux obligations réciproques contractées par toutes les Puissances signataires de ce Traité. Ils ont fait observer que quoique la guerre puisse, à la rigueur, dissoudre un Traité entre deux Puissances devenues belligérantes, elle ne saurait dégager ces Puissances de leurs obligations envers les autres Puissances cosignataires du même Traité. Ils ont démontré qu'avant de déchirer cet Acte il faudrait justifier cette décision par des raisons satisfaisantes. Enfin, avant de se départir d'une transaction il faudrait dire par quoi on prétend la remplacer.

LE PLÉNIPOTENTIAIRE DE RUSSIE s'est énoncé entièrement dans le même esprit. . . .

M. LE MINISTRE DE SUÈDE, en adhérant au point de vue développé par le Plénipotentiaire de Russie, . . .

M. L'AMBASSADEUR DE FRANCE, animé des mêmes dispositions conciliantes, a demandé aux Plénipotentiaires Allemands si, dans le cas où les arrangements de 1851 et de 1852 ne seraient pas susceptibles d'être maintenus, ils ne croiraient pas possible d'y substituer de nouvelles combinaisons, sans s'écarter du cercle tracé par les stipulations du Traité.

M. DE QUAADE a soutenu que son Gouvernement regarde le Traité de 1852 comme étant toujours en vi-

members of the Conference as to the validity of the engagements resulting from the Treaty of London of 1852.

The PLENIPOTENTIARIES OF GREAT BRITAIN have maintained the respect due to reciprocal obligations contracted by all the Powers signatory to this treaty. They have observed that although, strictly, war might dissolve a treaty between two Powers, since become belligerent, it could not relieve these Powers from their obligations towards the other Powers, cosignatories to the treaty. They demonstrated that before destroying this Act, such a decision must be justified by satisfactory reasons. Finally, before abandoning a transaction, it is necessary to say by what it shall be replaced.

The PLENIPOTENTIARY OF RUSSIA stated his position in the same spirit . . .

The MINISTER OF SWEDEN, adhering to the point of view developed by the Plenipotentiary of Russia . . .

The AMBASSADOR OF FRANCE, animated by the same conciliatory dispositions, asked the Germanic Plenipotentiaries if, in case the arrangements of 1851 and of 1852 could not be maintained, they did not believe it possible to substitute new combinations without discarding the sphere traced by the stipulations of this treaty.

M. DE QUAADE maintained that his Government looks on the treaty of 1852 as being at all times in force.

gueur. M. le Baron de Beust a constaté que sa validité n'a jamais été reconnue par la Confédération.

En présence de doctrines aussi divergentes, on ne pouvait guère s'attendre à parvenir à un résultat conforme à la pensée de conciliation et de paix dans laquelle le Gouvernement de Sa Majesté Britannique avait invité les Cabinets à se faire représenter en Conférence à Londres.

Cependant, quelque incertain que parût, dès l'origine, l'espoir d'arriver à une conclusion satisfaisante, les Plénipotentiaires de la Grande Bretagne, dans un complet accord avec les Plénipotentiaires des Puissances neutres, n'en persistèrent pas moins dans leurs efforts afin d'amener un rapprochement entre les deux parties belligérantes.

Animé par ce désir, le Comte Russell a ouvert la séance du 17 Mai par rappeler l'engagement pris par M. le Comte de Bernstorff d'annoncer les bases de pacification que les Cours d'Autriche et de Prusse se proposaient de soumettre à la Conférence.

Le Protocole no. 5 expose les moyens que les Plénipotentiaires Allemands ont considérés comme les plus propres à amener une pacification solide et durable. . . .

Il en résultait que dans la pensée des Cours de Vienne et de Berlin il s'agissait de rendre les Duchés complètement indépendants sous le rapport politique et administratif, de laisser subsister un lieu dynastique entre les Duchés et la Monarchie Danoise;

Baron von Beust stated that its validity has never been recognized by the Confederation.

In presence of doctrines so divergent, one could scarcely expect to achieve a result in conformity with the idea of conciliation and of peace in which the Government of Her Britannic Majesty had united the Cabinets to send representatives to the Conference at London.

Nevertheless, no matter how uncertain from the beginning the hope of arriving at a satisfactory conclusion appeared, the Plenipotentiaries of Great Britain, in complete agreement with the neutral Powers, did not lessen the persistence of their efforts to bring about an agreement between the two belligerent parties.

Animated by this desire, Earl Russell opened the session of May 17 by recalling the engagement undertaken by Count von Bernstorff to announce the basis for pacification which the Courts of Austria and of Prussia proposed to submit to the Conference.

Protocol No. 5 sets forth the means which the Germanic Plenipotentiaries considered to be the most suitable for bringing about a solid and durable pacification. . . .

It results that in the mind of the Courts of Vienna and of Berlin it is a question of making the duchies completely independent as to political and administrative matters, allowing a dynastic tie to remain between the Dutchies and the Danish Monarchy;

mais de subordonner ce lien dynastique à la décision que la Diète de Francfort porterait sur la validité des titres du Roi Chrétien IX en sa qualité de Duc de Holstein.

Pour achever de caractériser le mérite de ce programme, mis en avant au nom de l'Autriche et de la Prusse, il importe de constater que le Plénipotentiaire de la Confédération Germanique a cru devoir ne point s'y associer. Finalement, ce Ministre a affirmé que la majorité de la Diète refuserait son adhésion à un arrangement qui, même sous une forme conditionnelle, rétablirait une union entre les Duchés et le Danemark!

Ces explications n'ont point permis aux Plénipotentiaires Danois de donner leur assentiment à un semblable programme. Aussi n'ont-ils pas hésité à le déclarer entièrement inadmissible.

Ce refus a mis fin à la première combinaison, proposée par MM. les Plénipotentiaires Allemands en vue de rétablir une paix solide et durable.

La séance du 28 Mai a été ouverte par une second proposition présentée par MM. les Plénipotentiaires d'Autriche et de Prusse. . . .

. . . . .

**Protocole No. 6.— Séance du 28 Mai, 1864.**[1]

. . . . .

M. le Comte Russell demande à MM. les Plénipotentiaires Allemandes s'ils ont des propositions à faire à la Conférence.

but to subordinate the dynastic tie to the future decision of the Diet of Francfort on the validity of the titles of King Christian IX in his quality of Duke of Holstein.

In order to characterise the merit of this program, put forward in the name of Austria and of Prussia, it is important to state that the Plenipotentiary of the Germanic Confederation has not considered himself at liberty to join in it. Finally, this Minister has affirmed that the majority of the Diet would refuse their adhesion to an arrangement which, even in a conditional form, would restore a union between the duchies and Denmark!

These explanations made it impossible for the Danish Plenipotentiaries to give their assent to such a program, nor have they hesitated to declare it to be entirely inadmissible.

This refusal put an end to the first combination, proposed by the Germanic Plenipotentiaries with a view to restoring a solid and durable peace.

The session of May 28 was opened by a second proposition presented by the Plenipotentiaries of Austria and of Prussia. . . .

. . . . .

**Protocol No. 6.— Session of May 28, 1864.**

. . . . .

Earl Russell asks the German Plenipotentiaries whether they have any propositions to make to the Conference.

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[1] *Brit. St. Pap.*, vol. 54, p. 199.

M. LE COMTE APPONYI répond en donnant lecture d'une proposition conçue en ces termes :

" Après que les demandes de l'Autriche et de la Prusse, présentées dans la dernière séance de la Conférence, ont été déclarées entièrement inadmissible par MM. les Plénipotentiaires Danois, même dans la supposition qu'une décision de la Diète admît les droits de succession de Sa Majesté le Roi de Danemark dans les Duchés, les Plénipotentiaires des Puissances Allemandes ont reçu l'ordre de demander, de concert avec le Plénipotentiaire de la Confédération Germanique, la séparation complète des Duchés de Schleswig et de Holstein du Royaume de Danemark, et leur réunion dans un seul Etat sous la souveraineté du Prince Héréditaire de Schleswig-Holstein-Sonderbourg-Augustenbourg, qui peut non-seulement faire valoir, aux yeux de l'Allemagne, le plus de droits à la succession dans lesdits Duchés, et dont la reconnaissance par la Diète Germanique est assurée en conséquence, mais qui réunit aussi les suffrages indubitables de l'immense majorité des populations de ces pays."

M. LE COMTE RUSSELL donne lecture ensuite de la déclaration suivante : —

" Les Plénipotentiaires de la Grande Bretagne ont vu avec un vif regret que la dernière séance de la Conférence n'a pas eu pour resultat d'établir les bases d'un accord entre l'Allemagne et le Danemark.

" Selon nous on ne saurait pas

COUNT APPONYI answers by reading a proposition couched in these terms :

" After the demands of Austria and Prussia, presented in the last session of the Conference, were declared absolutely inadmissible by the Danish Plenipotentiaries, even under the supposition that a decision of the Diet would admit the rights of His Majesty, the King of Denmark, in the duchies, the Plenipotentiaries of the Germanic Powers have received the order to demand, in concert with the Plenipotentiary of the Germanic Confederation, the complete separation of the Duchies of Schleswig and of Holstein from the Kingdom of Denmark, and their union in a single state under the sovereignty of the Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg, who, in the eyes of Germany not only has the most right to the succession in the said duchies, and whose recognition by the Germanic Diet is assured in consequence, but who also commands the undoubted suffrages of the immense majority of the populations of that country."

EARL RUSSELL thereupon reads the following declaration : —

" The Plenipotentiaries of Great Britain have observed with deep regret that the last session of the Conference has not resulted in establishing bases of accord between Germany and Denmark.

" Accordingly we are unable to find

trouver les éléments d'une paix solide et durable, ni dans les engagements de 1851, lesquels pendant 12 ans n'ont porté d'autre fruit que dissentiments et troubles, ni dans l'analyse d'un droit obscur et compliqué.

" Mais à moins de pouvoir poser les bases d'une paix solide et durable, il n'est pas de la compétence des Puissances neutres de renoncer au Traité solennel par lequel elles ont reconnu l'intégrité de la Monarchie Danoise, et elles ne pourraient non plus concourir à un nouvel arrangement qui serait insuffisant pour l'Allemagne, ou humiliant pour le Danemark.

" Il faut donc chercher ailleurs les éléments d'une paix solide et durable.

" Depuis de longues années une vive sympathie envers leurs frères sujets du Roi de Danemark anime les Allemands de la Confédération Germanique. Les Danois, de leur côté, sont inspirés par l'amour de l'indépendance et le désir de maintenir leur ancienne Monarchie. Ces sentiments, de part et d'autre, méritent le respect de l'Europe.

" Pour prévenir une lutte future, et pour satisfaire à l'Allemagne, il faudrait, selon nous, séparer entièrement de la Monarchie Danoise, le Holstein, le Lauenbourg, et la partie méridionale du Schleswig.

" Pour justifier un sacrifice aussi vaste de la part du Danemark, et pour maintenir l'indépendance de la Monarchie Danoise, il est à désirer, selon nous, que la ligne de la frontière ne soit pas tracée plus ou nord que l'em-

the elements of a solid and durable peace, either in the engagements of 1851 which for twelve years have borne no fruit save dissension and trouble, nor in the analysis of an obscure and complicated right.

" But unless we can lay the basis of a solid and durable peace it is not within the competence of the neutral Powers to renounce the solemn treaty by which they have recognized the integrity of the Danish Monarchy, nor can they agree on a new arrangement which would be insufficient for Germany or humiliating for Denmark.

" It is therefore necessary to seek elsewhere the elements of a solid and durable peace.

" For many years an intense sympathy towards their brothers, subjects of the King of Denmark, has animated the Germans of the Germanic Confederation. The Danes, on their side, are inspired by a love of independence and the desire to maintain their ancient Monarchy. These sentiments, on both sides, deserve the respect of Europe.

" To prevent future strife and to satisfy Germany, it is necessary, in our opinion, to separate entirely from the Danish Monarchy, Holstein, Lauenburg, and the southern part of Schleswig.

" To justify a sacrifice so great on the part of Denmark, and to maintain the independence of the Danish Monarchy, it is desirable, according to us, that the line of frontier should not be drawn further north than the mouth bouchure de la Slei et la ligne du Dannewerke.

" Il faut aussi pour la sécurité du Danemark que la Confédération Germanique n'érige et ne maintienne pas des forteresses, ni n'établisse pas des ports fortifiés, dans le territoire cédé par le Danemark.

" Un arrangement équitable de la dette publique, et la renonciation par l'Autriche, la Prusse, et la Confédération Germanique, à tout droit d'ingérence dans les affaires intérieures du Danemark, serviraient à compléter les relations amicales entre l'Allemagne et le Danemark.

" Il reste une question qui ne serait pas l'objet du Traité de Paix, mais qui intéresse l'Allemagne et ne peut pas être passée sous silence. Dans l'opinion des Plénipotentiaires de la Grande Bretagne, il doit être entendu que la destinée future du Duché de Holstein, du Duché de Lauenbourg, et de la partie méridionale du Duché de Schleswig qui sera annexée au Duché de Holstein, ne sera pas réglée sans leur consentement.

" Si le Roi de Danemark consent aux sacrifices de territoire qu'au nom de la paix on lui demande, il sera juste que l'indépendance de son Royaume soit garantie par les Grandes Puissances Européennes."

. . . . .

M. le Plénipotentiaire de France s'exprime en ces termes :

" Les idées que M. le Principal Secrétaire d'Etat vient d'exposer, relativement aux principes d'après lesquels

of the Schley and the line of the Dannewerke.

" It is also necessary for the security of Denmark, that the Germanic Confederation should not create and maintain fortresses, nor establish fortified ports, in the territories ceded by Denmark.

" An equitable arrangement of the public debt and the renunciation by Austria, Prussia, and the Germanic Confederation of all right of interference in the domestic affairs of Denmark, would serve to complete the friendly relations between Germany and Denmark.

" There remains a question which would not be the subject of a treaty of peace, but which interests Germany and can not be passed by in silence. In the opinion of the Plenipotentiaries of Great Britain, it should be understood that the future destiny of the Duchy of Holstein, of the Duchy of Lauenburg, and of the southern part of the Duchy of Schleswig which will be annexed to the Duchy of Holstein, shall not be fixed without their consent.

" If the King of Denmark consents to the sacrifices of territory in the name of the peace asked of him, it will be equitable that the independence of his Kingdom should be guaranteed by the Great European Powers."

. . . . .

The Plenipotentiary of France expresses himself in these terms :

" The ideas which the Chief Secretary of State has just unfolded, relating to the principles according to devrait être réglée l'affaire Dano-Allemande, s'accordent pleinement avec les vues que j'étais chargé moi-même de soutenir dans la Conférence. Après avoir étudié les causes du conflit actuel, mon Gouvernement est demeuré convaincu qu'elles résidaient dans la mauvaise distribution des différents groupes de population dont la Monarchie Danoise est composée, ainsi que dans leurs rivalités incessantes, et qu'il était, dès lors, nécessaire de rechercher les bases d'une entente dans des dispositions nouvelles, plus en harmonie avec le sentiment national des deux peuples. L'arrangement dont M. le Principal Secrétaire d'Etat nous indique les bases, consistant à départager, autant que possible, les deux nationalités dans le Schleswig, en incorporant les Danois au Danemark, et en reliant plus étroitement les Allemands au Holstein et au Lauenbourg, ne pouvait donc manquer de rencontrer l'adhésion du Gouvernement de l'Empereur. L'application de ce principe ne semble pas, au surplus, devoir donner lieu à aucune difficulté pour les deux parties extrêmes du Schleswig, où la nationalité se trouve nettement déterminée. Quant aux districts mixtes du centre, de quelque manière que l'on décide de leur sort, il y aura toujours là des Danois soumis à un pays Allemand ou des Allemands soumis au Danemark. Devant l'impossibilité absolue de prendre, sur ce point, la nationalité pour règle, nous pensons qu'il serait juste de trancher le différend en faveur de la plus faible des parties,

which the Danish-German affair should be settled, agree fully with the views which I have myself been instructed to support in the Conference. After having studied the causes of the present conflict, my Government has remained convinced that they arise from the bad distribution of the different groups of population of which the Danish Monarchy is composed, as well as from their incessant rivalries, and that it would therefore be necessary to seek for the basis of an agreement in new dispositions, more in harmony with the national sentiment of the two peoples. The arrangement of which the Chief Secretary of State indicates to us the basis, consisting of the separation, as far as possible, of the two nationalities in Schleswig, by incorporating the Danes in Denmark and by attaching the Germans more closely to Holstein and to Lauenburg, could not fail to gain the support of the Government of the Emperor. It does not appear that the application of the principle would give rise to any difficulty as to the two extreme parts of Schleswig, where nationality is clearly determined. As for the mixed districts in the centre, in whatever manner their fate is decided, there will always be there some Danes subject to a German country or some Germans subject to Denmark. Faced by the absolute impossibility of taking nationality for the deciding factor on this point, we believe that it would be equitable to decide the differences in favor of the weaker of the two parties especially when she al-

surtout quand elle subit déjà les sacrifices que cette règle lui impose sur tous les points où elle est manifestement contre elle. Mon Gouvernement considère également comme essentiel que la frontière soit tracée conformément aux nécessités de la défense du Danemark, car ces nécessités doivent être prises en considération par la Conférence, dont la mission est, en donnant satisfaction aux légitimes reclamations de l'Allemagne, de veiller à ce que les arrangements nouveaux garantissent suffisamment l'indépendance du Danemark et les intérêts de l'équilibre Européen dans le Nord.

" Quant à la désignation du souverain sous l'autorité duquel le nouvel Etat devrait être placé, le Gouvernement de l'Empereur n'a aucun parti pris. Il donnerait volontiers son appui à toute combinaison qui serait conforme au vœu des populations loyalement consultées."

M. le Plénipotentiaire de Suède et Norvège annonce que ses instructions lui défendent d'entrer en discussion sur la proposition émise par MM. les Plénipotentiaires Allemands, comme tendant à séparer les Duchés de Schleswig et de Holstein du Danemark. . . .

Il est toutefois autorisé à adhérer à la proposition émise par M. le Comte Russell, à condition que la frontière du Danemark ne soit pas placée plus au nord que la Slei et le Dannewerke, que la partie du Schleswig située au nord de cette ligne soit complètement incorporée au Danemark, que l'Alle-

ready submits to the sacrifices which this rule imposes at all points where it is manifested against her. My Government considers it equally essential that the frontier should be drawn in accordance with the necessities of the defense of Denmark, for these necessities should be taken into consideration by the Conference whose mission it is, while giving satisfaction to the legitimate claims of Germany, to take care that the new arrangements shall sufficiently guarantee the independence of Denmark, and the interests of European equilibrium in the north.

" As for the designation of the sovereign under whose authority the new state should be placed, the Government of the Emperor has no preconceived opinion. It will give its support voluntarily to any combination which shall be in accord with the wishes of the populations, fairly consulted."

The Plenipotentiary of Sweden and Norway announces that his instructions forbid him to enter into discussion on the proposition made by the German Plenipotentiaries, as tending to separate the Duchies of Schleswig and Holstein from Denmark. . . .

He is however authorized to adhere to the proposition made by Earl Russell on condition that the frontier of Denmark shall not be placed further north than the Schley and the Dannewerke, that the part of Schleswig to the north of this line shall be completely incorporated in Denmark, that

magne n'ait à l'avenir aucun droit d'immixtion dans les affaires intérieures de cette monarchie, et que la nouvelle frontière à établir soit placée sous une garantie Européenne.

Quant aux provinces qui dans l'éventualité susdite seraient cédées par le Roi de Danemark, son Gouvernement entend que leur sort futur ne soit point réglé sans leur consentement, et que la liberté du choix des populations soit entourée de garanties suffisantes.

M. le Comte de Bernstorff prenant alors la parole, déclare que les Plénipotentiaires Allemands n'ont comme de raison pas d'instructions pour se prononcer d'une manière définitive sur les détails de la proposition qu'ils viennent d'entendre de la part de MM. les Plénipotentiaires de Sa Majesté Britannique. Mais connaissant l'esprit de conciliation qui anime leurs Gouvernements respectifs, et qui répond à celui qui a guidé le Gouvernement Anglais dans son désir de trouver une base qui puisse servir de compromis entre les points de vue opposés des Puissances belligérantes, ils croient pouvoir déclarer dès-à-présent que ni l'Autriche et la Prusse, ni la Confédération Germanique, ne se refuseront à prendre en sérieuse considération un projet de transaction qui puisse servir à faire atteindre le but que leurs Plénipotentiaires ont désigné dès le commencement comme celui qu'ils ont en vue, c'est-à-dire, d'assurer une pacification solide et durable. Sous ce rapport, la ligne de

Germany shall in future have no rights of interference in the domestic affairs of that monarchy, and that the new frontier to be established shall be placed under a European guarantee.

As to the provinces which in the eventuality aforesaid would be ceded by the King of Denmark, his Government understands that their future destiny shall not be decided in any way without their consent, and that the freedom of choice of the populations shall be surrounded by sufficient guarantees.

Count von Bernstorff, thereupon, speaking in his turn, declares that the German Plenipotentiaries have naturally no instructions to pronounce in a definitive way on the details of the propositions which they have just listened to from the Plenipotentiaries of Her Britannic Majesty. But knowing the spirit of conciliation which animates their respective Governments, and which corresponds to that which has guided the English Government in its desire to find a basis which might serve as compromise between the opposite points of view of the belligerent Powers, they believe that they may declare from this time forward that neither Austria nor Prussia nor the Germanic Confederation will refuse to take under serious consideration a proposed compromise which might serve to bring about the end which their Plenipotentiaries have indicated since the beginning to be that which they have in view, that is to say, the assurance of a solid and durable pacification. In this connection

démarcation proposée ne saurait cependant remplir le but, puisque le principal sujet de plainte et d'agitation pour la plus grande partie des populations du Schleswig continuerait non-seulement de subsister, mais serait même infiniment aggravé par leur séparation d'avec le reste des Duchés, et leur incorporation dans le Royaume de Danemark.

Les Plénipotentiaires Allemands doivent donc réserver à leurs Gouvernements de faire des contre-propositions à cet égard.

Pour ce qui concerne le Duché de Lauenbourg, . . . les Puissances Allemandes seraient probablement disposées à le considérer comme un objet de compensation pour une partie du territoire septentrional du Duché de Schleswig. . . .

### Protocole No. 7.— Séance du 2 Juin, 1864.[1]

. . . . .

Sur l'invitation de M. le Comte Russell, M. DE QUAADE donne lecture de la déclaration suivante:

. . . . .

“ S'il en devait être ainsi, si réellement les Puissances de l'Europe veulent abandonner le Traité de Londres, Sa Majesté, pour éviter la reprise des hostilités, ne s'opposera pas à une cession territoriale, pourvu toutefois qu'elle obtienne par là non-seulement la paix, mais aussi une existence indépendante et parfaitement autonome pour ce qui lui restera de ses Etats,

the line of demarcation proposed could not fulfill the end in view, since the principal subject of complaint and agitation for the great part of the populations of Schleswig would not only continue to exist, but would even be infinitely aggravated, by their separation from the rest of the duchies, and their incorporation in the Kingdom of Denmark.

The German Plenipotentiaries must, therefore, reserve to their Governments the right of making counter-propositions as to this point.

As for the Duchy of Lauenbourg, . . . the German Powers would probably be disposed to consider it as compensation for a part of the northern territory of the duchy of Schleswig. . . .

### Protocol No. 7.— Session of June 2, 1864.

. . . . .

On the invitation of Earl Russell, M. DE QUAADE reads the following declaration:

. . . . .

“ If it must be so, if the Powers of Europe really wish to abandon the Treaty of London, His Majesty, to avoid the reopening of hostilities, will not oppose a territorial cession, provided however, that he obtains by it not only peace but also an independent and absolutely autonomous existence for what remains to him of his States and on the condition that the future et à la condition que la destinée future des territoires cédés ne soit pas réglée sans leur consentement.

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[1] *Brit. St. Pap.*, vol. 54, p. 210.

“ Le Gouvernement Danois accepte donc en principe la proposition faite à la dernière séance par M. le Comte Russell pour le rétablissement de la paix entre le Danemark et les Deux Grandes Puissances Allemandes. . . .”

Sur une observation de M. le Comte Russell, M. le Comte de Bernstorff rappelle que MM. les Plénipotentiaires Allemands se sont déjà prononcés à la séance précédente sur la frontière proposée, et il cite une partie de la déclaration qu'il avait alors faite au nom de ces Plénipotentiaires sur ce point. Il croit pouvoir annoncer cependant que leurs instructions les autorisent à proposer une ligne de démarcation qui serait à tracer entre Apenrade et Tondern.

M. de Quaade ne saurait accepter la discussion d'une ligne pareille, et fait valoir l'impossibilité dans laquelle il se trouve de la prendre en considération.

M. le Comte Apponyi explique que le point de départ des Puissances Allemandes avait été la séparation du Duché de Schleswig tout entier, et que la proposition de la ligne d'Apenrade est par conséquent déjà une concession.

M. le Comte Russell rappelle que MM. les Plénipotentiaires Allemands n'avaient pas compris la cession de Lauenbourg dans leur première proposition, mais seulement la séparation complète des Duchés de Schleswig et de Holstein d'avec le Danemark.

destiny of the ceded territories shall not be settled without their consent.

“ The Danish Government thus accepts in principle the proposition made at the last session by Earl Russell for the reestablishment of peace between Denmark and the two great Germanic Powers. . . .”

On an observation by Earl Russell, Count von Bernstorff recalls that the Germanic Plenipotentiaries have already, at the preceding session, pronounced on the frontier proposition, and he cites a part of the declaration which he had then made, in the name of these Plenipotentiaries, on this point. He believes himself able to announce, meanwhile, that their instructions authorized them to propose a line of demarcation to be drawn between Apenrade and Tondern.

M. de Quaade could not accept the discussion of such a line, and laid stress on the impossibility of his taking it under consideration.

Count Apponyi explained that the point of departure of the Germanic Powers had been the separation of the Duchy of Schleswig in its entirety, and that consequently the proposition of the Apenrade line is already a concession.

Earl Russell recalls that the Germanic Plenipotentiaries have not included the cession of Lauenburg in their first proposition, but only the complete separation of Schleswig and of Holstein from Denmark.

M. le Comte Apponyi rappelle qu'en effet la cession du Lauenbourg n'était pas mentionnée dans la première proposition des Plénipotentiaires Allemands, et que ce n'est qu'à la suite de la proposition Anglaise qu'ils ont consenti à accepter le Duché de Lauenbourg comme une compensation pour une partie du Schleswig Septentrional.

M. le Prince de la Tour d'Auvergne exprime l'opinion que la cession de Lauenbourg devrait être regardée comme un objet d'échange pour la partie mixte du Schleswig.

M. de Krieger soutient que le principe de nationalité est un élément très-essentiel de la question, mais non pas le seul à être pris en considération.

M. le Comte de Bernstorff répond qu'il en a été précisément tenu compte dans la proposition Allemande; et M. de Biegeleben fait observer que d'après la déclaration de MM. les Plénipotentiaires Danois eux-mêmes, ce sont les intérêts militaires et commerciaux du Danemark qui devraient déterminer le tracé de la frontière, sans que dans cette déclaration il ait été fait mention du principe de nationalité.

. . . . .

A l'invitation de M. le Comte Russell, M. de Quaade propose alors pour frontière une ligne qui serait tracée au sud de la ville d'Eckernforde et au sud de la ville de Schleswig, suivant la ligne du Dannewerke jusqu'à Friedrichstadt.

Une carte indiquant les principaux

Count Apponyi recalls that, in fact, the cession of Lauenbourg was not mentioned in the first proposition of the Germanic Plenipotentiaries, and that it is only after the English proposition that they have consented to accept the Duchy of Lauenbourg as compensation for a part of northern Schleswig.

Prince de la Tour d'Auvergne expresses the opinion that the cession of Lauenbourg ought to be regarded as an exchange for the mixed part of Schleswig.

M. von Krieger maintains that the principle of nationality is a very essential element of the question, but not the only one to be taken into consideration.

Count von Bernstorff answers that it has been accurately taken into account in the German proposition; and M. de Biegeleben observes that, according to the declaration of the Danish Plenipotentiaries themselves, it is the military and commercial interests of Denmark which should determine the drawing of the frontier, no mention being made in this declaration of the principle of nationality.

. . . . .

On the invitation of Earl Russell, M. de Quaade then proposes as a frontier a line to be traced to the south of the town of Eckernforde and to the south of the city of Schleswig, following the line of Dannewerke as far as Friedrichstadt.

A map indicating the principal

points par lesquels cette ligne devrait passer est annexée au présent Protocole. . . .

L'examen en ayant été fait par MM. les Plénipotentiaires, M. LE COMTE RUSSELL croit qu'il devient utile de constater les points sur lesquels la Conférence pourrait peut-être tomber d'accord:

1. Le Roi de Danemark ne s'opposera pas à une cession territoriale, pourvu qu'elle assure au Danemark non-seulement la paix, mais aussi une existence indépendante et parfaitement autonome.

2. Et à condition que la destinée future des territoires cedés ne soit pas réglée sans leur consentement.

3. Il faut au Danemark une frontière qui tienne compte à la fois de ses intérêts militaires et de ses intérêts commerciaux.

4. Cette frontière devrait être entourée de garanties suffisantes.

Dans cette état de choses, il semble à M. LE COMTE RUSSELL qu'il conviendrait peu à l'honneur des Puissances Européenes de ne pas réussir à trouver la solution des difficultés qui restent à régler, sans le recommencement de la guerre, qui serait la plus deplorable de toutes les solutions. Les Plénipotentiaires des Puissances neutres regardent les conditions dont il est question comme parfaitement juste et raisonnables. Il serait donc bien à regretter dans l'intérêt de l'Europe que la guerre vînt à recommencer et dans ce cas il serait vraiment difficile de prévoir où est quand elle s'arrêterait.

points traced by the Plenipotentiaries through which this line should pass is annexed to the Present Protocol. . . .

This having been examined by the Plenipotentiaries, Earl Russell believes that it would be useful to establish the points on which the Conference might perhaps come to an agreement:

1. The King of Denmark will not oppose a territorial cession provided that it assures to Denmark not only peace, but also an independent and absolutely autonomous existence.

2. And on condition that the future destiny of the territories ceded shall not be settled without their consent.

3. It is essential that Denmark should have a frontier which should take into account both its military and commercial interests.

4. This frontier should be surrounded by sufficient guarantees.

In this state of affairs it appears to EARL RUSSELL that it would little consort with the honor of the European Powers to fail to succeed in finding the solution of the difficulties which remain to be settled, without the resumption of the war, which would be the most deplorable of all solutions. The Plenipotentiaries of the neutral Powers regard the conditions in question as perfectly just and reasonable. It would, then, be very regrettable, in the interests of Europe, that the war should begin again and in this case it would be most difficult to foresee where and when it would cease.

M. le Comte Apponyi croit devoir faire ses réserves quant au point deux, en tant qu'il implique un appel direct au suffrage des populations. Il ne saurait accepter cette modalité, ni en principe, ni comme un moyen de solution pratique, à cause de la difficulté d'obtenir dans les districts mixtes une frontière acceptable et respondant en même temps, dans chaque localité, aux vœux de deux nationalités aussi mélangées.

A cette occasion M. de Biegeleben rappelle que M. le Plénipotentiaire de France a reconnu dans la dernière séance l'impossibilité absolue de prendre sur ce point la nationalité pour règle.

M. le Baron de Beust est d'avis qu'une consultation des populations serait susceptible d'amener un résultat pratique. Il n'entend pas qu'on demande à chaque bourg et à chaque village s'il veut être Allemand ou Danois, et qu'on en dispose en conséquence, mais que dans tel ou tel district, qui serait destiné à être détaché du Schleswig on constate si la majorité de la population est vraiment Danoise.

M. le Prince de la Tour d'Auvergne fait remarquer que la Conférence ayant posé le principe de la séparation du Schleswig, et ce principe ayant été admis aussi bien par MM. les Plénipotentiaires Allemands que par MM. les Plénipotentiaires Danois, le mode de procéder indiqué par M. le Baron de Beust pourrait amener un résultat tout différent de

Count Apponyi believes that he should make reservations as to point 2 in so far as it implies a direct appeal to the votes of the populations. He is unable to accept this method either in principle or as a means of practical solution, because of the difficulty of obtaining in the mixed districts an acceptable frontier, responding at the same time in each locality to the wishes of the two nationalities which are so mingled.

On this occasion M. de Biegeleben recalls that the Plenipotentiary of France has recognized at the last meeting the absolute impossibility of taking nationality for the rule on this point.

Baron von Beust is of the opinion that a consultation of the populations would be susceptible of leading to a practical result. He does not understand that each borough and village will be asked whether it wishes to be German or Danish, and will then be disposed of accordingly, but that in such or such district, which would be destined to be detached from Schleswig, it would be determined whether the majority of the population is really Danish.

Prince de la Tour d'Auvergne remarks that the Conference, having stated the principle of the separation of Schleswig, and this principle having been admitted as well by the German Plenipotentiaries as by the Danish Plenipotentiaries, the method of procedure indicated by Baron von Beust might lead to a result very different from that which the Confer-

celui que la Conférence a en vue. Dans la pensée du Gouvernement de l'Empereur, c'est principalement dans les territoires qui seraient détachés de la Monarchie Danoise, et où il s'agit d'établir un état de choses nouveau, qu'il est indispensable de consulter les populations.

M. le Baron de Beust persiste à soutenir que le même principe est applicable aux districts qui doivent être séparés du Schleswig.

M. le Comte Russell demande si MM. les Plénipotentiaires des Puissances belligérantes ne pourraient pas conférer ensemble avec quelque chance de se mettre d'accord sur la nouvelle frontière, sans perdre de vue les vœux des populations.

M. le Comte de Bernstorff se déclare prêt à conférer avec MM. les Plénipotentiaires Danois dans ce but, et à adopter tous les moyens qui puissent conduire à une entente, nommément celui de consulter les vœux des populations.

Les Plénipotentiaires Danois se déclarent également prêts à conférer avec les Plénipotentiaires Allemands dans le cas où il y aurait probabilité de pouvoir s'entendre sur la frontière à tracer.

. . . . .

Pendant une discussion à laquelle prennent part tous les Plénipotentiaires, sur les difficultés qui se rattachent à cette question et sur les moyens d'y obvier, M. le Comte de Bernstorff dit qu'il n'est pas autorisé à proposer d'autre ligne que celle

ence had in view. To the mind of the Government of the Emperor, it is principally in the territories which would be detached from the Danish Monarchy, and where it is a question of establishing a new state of affairs, that it is indispensable to consult the populations.

Baron von Beust persists in maintaining that the same principle is applicable to the districts which should be separated from Schleswig.

Earl Russell asks whether the Plenipotentiaries of the belligerent Powers could not confer together, with some chance of agreeing on the new frontier without losing sight of the wishes of the populations.

Count von Bernstorff declares himself ready to confer with the Danish Plenipotentiaries for this purpose, and to adopt any means which could lead to an agreement, and in particular that of consulting the wishes of the populations.

The Danish Plenipotentiaries declare themselves equally ready to confer with the German Plenipotentiaries in case there should be a probability of being able to come to an understanding as to the frontier to be drawn.

. . . . .

During a discussion in which all the Plenipotentiaries take part, on the difficulties which attach to this question and on the means of obviating them, Count von Bernstorff says that he is not authorized to propose any other line than that of Apenrade which he

d'Apenrade dont il a déjà fait mention, mais que lui et son collègue, désirant faire leur possible pour arriver à une solution, seraient disposés à recommander à leur Gouvernement l'adoption d'une ligne qui partirait de la Baie de Flensbourg au nord de la ville de ce nom, et aboutirait à Hoyer en passant au nord de Tondern, et qui comprendrait les Iles Frisonnes dans la partie du Duché à réunir à l'Allemagne.

MM. les Plénipotentiaires Danois trouvent cette ligne également inadmissible.

M. le Comte de Bernstorff rappelle qu'il est surtout important de savoir si MM. les Plénipotentiaires Danois peuvent consentir a une prolongation de la suspension d'hostilités.

M. de Quaade répond qu'il a déjà exprimé l'opinion que son Gouvernement ne consentirait pas, à moins qu'il n'y eût probabilité d'une solution pacifique. Mais jusqu'à présent cette probabilité n'est pas à entrevoir.

. . . . .

M. le Baron de Brunnow demande en quoi consisterait la persuasion de MM. les Plénipotentiaires Danois qu'ils arriveraient à la paix.

M. de Quaade répond en rappelant que le Danemark a accepté en principe la proposition de M. le Comte Russell, reposant sur la base du partage du Duché de Schleswig moyennant une ligne qui ne fût pas tracée plus au nord que l'embouchure de la Slei et la ligne du Dannewerke; tandis que MM. les Plénipotentiaires Allemands

has already mentioned, but that he and his colleagues desiring to do all in their power to arrive at a solution, would be disposed to recommend to their Government the adoption of a line which should start from the Bay of Flensbourg to the north of the town of that name, and should end at Hoyer, passing to the north of Tondern, and which should include the Frisian Islands in that part of the duchy to be united to Germany.

The Danish Plenipotentiaries find this line equally inadmissable.

Count von Bernstorff recalls that it is of the first importance to know whether the Danish Plenipotentiaries can consent to a prolongation of the suspension of hostilities.

M. de Quaade answers that he has already expressed the opinion that his Government will not consent, at least unless there is some probability of a pacific solution. But up to the present this possibility is not evident.

. . . . .

Baron de Brunnow asks in what would consist the persuasion of the Danish Plenipotentiaries that they would arrive at a peace.

M. de Quaade answers by recalling that Denmark has accepted in principle the proposition of Earl Russell, based on the division of the Duchy of Schleswig by means of a line which should not be traced further to the north than the mouth of the Schley and the line of the Dannewerke: while the German Plenipotentiaries

disent que leurs gouvernements consentirait peut-être à une ligne prenant son point de départ au nord de Flensbourg. Dans cet état de choses on est si loin de s'entendre que le Gouvernement Danois ne saurait consentir à la prolongation demandée.

. . . . .

M. le Baron de Brunnow, d'ordre de sa Cour, fait part à la Conférence de la communication suivante:

"L'Ambassadeur de Russie a annoncé que l'Empereur, désirant faciliter, autant qu'il dépend de lui, les arrangements à conclure entre le Danemark et l'Allemagne, en vue du rétablissement de la paix, a cédé à Monsigneur le Grand-Duc d'Oldenbourg les droits éventuels que le § 3 du Protocole de Varsovie du 23 Mai/5 Juin 1851, a réservés à Sa Majesté comme chef de la branche aînée de Holstein-Gottorp."

. . . . .

M. le Prince de la Tour d'Auvergne dit qu'il doit profiter de l'occasion qui lui est offerte par M. l'Ambassadeur de Russie, pour maintenir formellement le point de vue de son Gouvernement, d'après lequel aucun état de choses nouveau ne saurait être établi dans les territoires détachés de la Monarchie Danoise, sans le concours et le consentement des populations loyalement consultées. Il est heureux d'ailleurs de pouvoir rendre hommage à l'ésprit de conciliation qui a dicté la déclaration de la Cour de Russie.

say that their Government would possibly consent to a line taking its point of departure to the north of Flensburg. In this state of affairs one is so far from an understanding that the Danish Government would not be able to consent to the prolongation requested.

. . . . .

Baron de Brunnow, at the order of his Court, makes the following communication to the Conference:

"The Ambassador of Russia has announced that the Emperor, desiring to facilitate, in so far as lies in his power, the arrangements to be concluded between Denmark and Germany, in view of the reestablishment of peace, has ceded to Monsigneur the Grand Duke of Oldenburg the eventual rights which § 3 of the Protocol of Warsaw of May 23/June 5, 1851, has reserved to His Majesty as Chief of the elder branch of Holstein-Gottorp."

. . . . .

The Prince de la Tour d'Auvergne says that he must profit by the occasion which is offered to him by the Ambassador of Russia, to maintain formally the point of view of his Government, according to which no new state of affairs should be established in the territories detached from the Danish Monarchy, without the concurrence and consent of the populations, faithfully consulted. He is happy, moreover, to be able to do homage to the spirit of conciliation which has dictated the declaration of the Court of Russia.

M. LE COMTE WACHTMEISTER s'exprime de la manière suivante:

" Je dois rendre hommage à la haute preuve d'intérêt à la réussite des travaux de cette Conférence donnée de la part de Sa Majesté l'Empereur de Russie par la déclaration dont M. le Baron de Brunnow vient de donner lecture. Cette renonciation de l'Empereur aux droits qui pourraient revenir à Sa Majesté dans certaines éventualités sur une partie du Holstein ne peut que faciliter à un haut degré l'arrangement final qui disposera du sort du Holstein. En même temps je dois rappeler ma déclaration antérieure, que dans la pensée de mon Gouvernement la destinée future des pays qui pourront être cédés par le Danemark ne pourrait être définitivement arrêtée sans le consentement de leurs habitants."

. . . . .

### Protocole No. 9.— Séance du 9 Juin, 1864.

. . . . .

M. LE BARON DE BEUST . . . s'exprime alors dans les termes suivants:

" Je me suis abstenu d'intervenir dans la discussion qui avait lieu dans l'avant-dernière séance sur la question des frontières, ne me trouvant pas autorisé à me prononcer pour telle ou telle ligne. Les instructions que j'ai reçues depuis de la Diète, après lui avoir rendu compte de la séance du 28 Mai, approuvent les déclarations faites alors par moi de concert avec MM. les Plénipotentiaires d'Autriche et de

COUNT WACHTMEISTER expresses himself in the following manner:

" I must render homage to the high proof of interest in the success of the labors of the Conference given on the part of His Majesty the Emperor of Russia, by the declaration which Baron de Brunnow has just read. This renunciation, by the Emperor, of rights over a part of Holstein which might revert to His Majesty in certain eventualities, can only facilitate to a high degree the final arrangement which shall dispose of the fate of Holstein. At the same time I must recall my previous declaration that in the mind of my Government the future destiny of the countries which may be ceded by Denmark should not be definitely settled without the consent of their inhabitants."

. . . . .

### Protocol No. 9.— Session of June 9, 1864.

. . . . . .

BARON VON BEUST . . . thereupon expresses himself in the following terms:

" I have abstained in the discussion which took place at the session before last on the question of the frontiers, not being authorized to commit myself as to this or that line. The instructions which I have received from the Diet, after having given it an account of the session of May 28, approve the declarations made by me then, in concert with the Plenipotentiaries of Austria and of

Prusse, et conséquemment c'est sur elles que j'ai à me régler. Ces déclarations se trouvent consignées dans le Protocole. M. le Comte de Bernstorff, parlant au nom des Plénipotentiaires Allemands, a fait entrevoir qu'on serait disposé à céder une partie du territoire septentrional du Schleswig et de considérer l'abandon du Duché de Lauenbourg comme un équivalent; il a dit en même temps que la ligne de démarcation proposée par le Gouvernement de Sa Majesté Britannique ne saurait remplir le but d'une paix solide et durable, puisque le principal sujet de plainte et d'agitation pour la plus grande partie des populations du Schleswig continuerait non-seulement de subsister, mais serait même infiniment aggravé par leur séparation d'avec le reste des Duchés et leur incorporation dans le Royaume de Danemark.

" Dans ma pensée les termes de cette manifestation indiquent clairement qu'on n'entend pas consentir à l'abandon de telle partie du territoire Schleswickois dont la population dans sa majorité se refuserait à l'accepter.

" Je suis heureux de constater que la Confédération, en se plaçant à ce point de vue, est dans le cas de ce prévaloir de la manière dont il a plu aux Puissances neutres d'envisager la question. MM. les Plénipotentiaires de la Grande Bretagne entendent que la destinée future du Duché de Holstein, du Duché de Lauenbourg, et de la partie méridionale du Schleswig, ne serait pas réglée sans leur consentement.

Prussia, and consequently it is by them that I must rule my actions. These declarations will be found in the Protocol. Count von Bernstorff, speaking in the name of the Germanic Plenipotentiaries, has pointed out that there would be a disposition to cede a part of the northern portion of Schleswig and to consider the abandonment of the Duchy of Lauenbourg as an equivalent; he has said at the same time that the line of demarcation proposed by the Government of Her Britannic Majesty could not fulfill the object of a solid and durable peace, since the principal subject of complaint and of agitation for the greater part of the population of Schleswig would not only continue to exist but would be infinitely aggravated by their separation from the rest of the duchies and their incorporation in the Kingdom of Denmark.

" To my mind the terms of this statement indicate clearly that it is not intended to consent to the abandonment of any part of the territory of Schleswig where the majority of the population should refuse to accept it.

" I am happy to state that the Confederation, in adopting this point of view, is in a position to take pride in the manner in which the neutral Powers have regarded the question. The Plenipotentiaries of Great Britain understand that the future destiny of the Duchy of Holstein, of the Duchy of Lauenbourg and of the southern part of Schleswig, would not be settled without their consent. The

M. le Plénipotentiaire de France a déclaré maintenir le point de vue de son Gouvernement, d'après lequel aucun état de choses nouveau ne saurait être établi dans les territoires détachés de la Monarchie Danoise sans le concours et le consentement des populations loyalement consultées. M. le Plénipotentiaire de Suède enfin a déclaré que son Gouvernement entend que le sort futur des provinces qui seraient cédées par le Roi de Danemark ne soit point réglé sans leur consentement.

" Il me paraît impossible d'admettre que les Puissances neutres entendent établir un principe avec l'intention d'en exclure une application logique et impartiale. Il m'est impossible de leur supposer la pensée qu'il faut consulter des populations qui doivent appartenir à l'Allemagne pour savoir si cet avenir leur convient, mais que cette précaution est inutile avec celles qui doivent y rester étrangères. Il m'est impossible enfin de ne pas rappeler que je considère le Schleswig comme ayant cessé de faire partie de la Monarchie Danoise, et que dans cet ordre d'idées ce n'est pas d'elle mais à son profit qu'il s'agit de détacher une partie du Schleswig, du consentement de son Souverain, qui ne se refusera pas à tenir compte du vœu des populations."

**M. le Baron de Brunnow** tient à établir que quoique M. le Baron de Beust considère le Slesvig comme ayant cessé de faire partie de la Mon-

Plenipotentiary of France has upheld the point of view of his Government, according to which no new state of things could be established in the territories detached from the Danish Monarchy without the concurrence and consent of the populations, faithfully consulted. Finally, the Plenipotentiary of Sweden has declared that his Government understands that the future destiny of the provinces which should be ceded by the King of Denmark shall not be settled without their consent.

" It would seem to me impossible to admit that the neutral Powers intend to establish a principle with the intention of excluding a logical and impartial application. It is impossible for me to impute to them the thought that it is necessary to consult the populations which would belong to Germany, in order to know whether this destiny is pleasing to them, but that this precaution is useless in the case of those who are to remain foreign to it. Finally, it is impossible for me not to recall that I consider Schleswig as having ceased to form a part of the Danish Monarchy, and that according to this order of ideas, it is not against her but to her advantage that it is proposed to detach a part of Schleswig, with the consent of its Sovereign, who will not refuse to take account of the wish of the populations."

**Baron de Brunnow** insists on stating that although Baron von Beust considers Schleswig as having ceased to form a part of the Danish Monarchie Danoise, les Puissances neutres regardent la question d'un point de vue diamétralement opposé. Quant à la proposition de MM. les Plénipotentiaries de la Grande-Bretagne, énoncée dans la séance du 28 Mai, ils voulaient parler seulement de la partie méridionale du Slesvig, et non du Duché en entier.

M. LE BARON DE BEUST reclame le droit d'émettre ses opinions, sans avoir la prétention de les imposer aux autres Plénipotentiaires. De son côté il n'a pas pu partager l'opinion de M. le Plénipotentiaire de Russie, qui regarde le Schleswig comme partie intégrante de la Monarchie Danoise. Quant de deuxième point, il veut seulement remarquer qu'il lui est impossible d'admettre une application inégale du principe établi; et que si les populations dans la partie méridionale du Schleswig doivent être consultées au sujet de leur destinée future, il devrait en être de même avec les populations dans la partie septentrionale de ce Duché.

. . . . .

M. DE QUAADE tient encore à faire une observation sur un point relatif au consentement des populations. En se référant à sa déclaration du 2 Juin, il rappelle que le Roi Chrétien IX n'a consenti à une cession territoriale éventuelle qu'à la condition expresse de rester Souverain indépendant des territoires qui ne seront pas cédés.

M. LE BARON DE BEUST maintient son point de vue.

Revenant sur la question de la fron-

archy, the neutral Powers regard the question from a point of view diametrically opposite. As for the proposition of the Plenipotentiaries of Great Britain, announced at the session of May 28, they were speaking solely of the southern part of Schleswig, and not of the entire Duchy.

BARON VON BEUST claims the right to state his opinions, without pretending to impose them on the other Plenipotentiaries. For his part he has not been able to agree with the Plenipotentiary of Russia, who regards Schleswig as an integral part of the Danish Monarchy. As for the second point, he wishes solely to remark that it is impossible to admit an unequal application of an established principle, and that if the population in the southern part of Schleswig should be consulted on the subject of their future destiny, it should be the same with the population in the northern part of this Duchy.

. . . . .

M. DE QUAADE again wishes to make an observation on a point relating to the consent of the populations. In referring to his declaration of June 2, he recalls that King Christian IX has consented to an eventual territorial cession, only on the express condition that he shall remain an independent Sovereign over the territories not ceded.

BARON VON BEUST maintains his point of view.

Returning to the question of the

tière, et se référant aux différentes lignes qui avaient été proposées, M. le Comte Russell dit qu'il doit y avoir possibilité de faire un arrangement, en sauvegardant les intérêts de l'Europe et l'indépendance politique du Danemark.

M. de Balan demande pourquoi la ligne d'Apenrade ne serait pas reconnue suffisante pour ce but?

M. le Comte de Clarendon tient à savoir quelles peuvent être les raisons qui ont décidé à mettre en avant cette ligne. La ligne proposée par MM. les Plénipotentiaires Anglais a été choisie comme une bonne ligne commerciale et militaire. Il tient aussi à constater que cette ligne n'a été proposée que de concours avec MM. les Plénipotentiaires des Puissances neutres, qui l'ont appuyée dans la Conférence.

M. le Comte de Bernstorff ne voit pas la ligne Anglaise réunisse ces avantages. Cette ligne n'a, selon lui, aucune base, car elle n'est ni une bonne ligne militaire, puisque les événements de la guerre ont suffisament prouvé qu'elle ne peut être maintenue contre une grande armée, ni une ligne nationale, puisqu'elle ne sépare nullement les nationalités et laisserait même la plus grande partie des districts purement Allemands sous la domination Danoise.

Répondant à la question de M. le Comte de Clarendon, M. le Comte de Bernstorff dit que le premier objet de la ligne proposée par les Puissances Allemandes avait été d'échanger le Duché de Lauenbourg

frontier, and referring to the different lines which had been proposed, Earl Russell says that it should be possible to come to an arrangement safeguarding both the interests of Europe and the political independence of Denmark.

M. de Balan asks why the line of Apenrade should not be recognized as sufficient for this purpose?

The Earl of Clarendon wishes to know what might be the reasons for the decision to propose this line. The line proposed by the English Plenipotentiaries has been chosen as a good commercial and military line. It must also be stated that this line has been proposed only with the assent of the Plenipotentiaries of the neutral Powers, who have supported it in the Conference.

Count von Bernstorff does not see that the English line combines these advantages. This line has not, according to him, any basis, for it is neither a good military line, since the events of the war have sufficiently proved that it can not be maintained against a great army, nor a national line, since it does not at all separate the nationalities and would even leave the greater part of the purely Germanic districts under Danish domination.

In answer to the question of Lord Clarendon, Count von Bernstorff says that the first object of the line proposed by the Germanic Powers had been to exchange the Duchy of Lauenbourg for a portion

contre une portion du Schleswig Septentrional; que plus tard lorsque de la part des Puissances neutres on avait fait valoir qu'il fallait une bonne ligne militaire au Danemark, et que celle d'Apenrade ne satisfaisait pas à ce besoin, les Plénipotentiaires Prussiens s'étaient déclarés prêts à recommander à leur Gouvernement une ligne plus méridionale, à savoir, celle qui laisserait au Danemark la position d'Alsen et de Düppel, et lui donnerait ainsi avec l'autre position de Fionie et de Friedéricia, une ligne de défense beaucoup plus forte, comme la dernière guerre l'avait prouvé, que celle de la Slei et du Dannewerke: qu'en outre cette ligne réunissait le grand avantage de partager les deux nationalités mieux que toute autre ligne, puisque c'était celle qui avait séparé depuis la Réformation, et jusqu'en 1848, l'usage des langues Allemande et Danoise dans l'église et l'école. M. le Comte de Bernstorff croit que ces raisons pour suggérer la ligne en question sont de fort bonnes raisons. Il fait cependant itérativement remarquer qu'il n'a pu que promettre de la recommander son Gouvernement, et qu'il n'est point encore autorisé à la proposer, puisque de l'autre côtè on n'a rien fait jusqu'ici pour venir à la rencontre des propositions Allemandes.

M. LE COMTE RUSSELL fait observer que cette ligne n'a pas été acceptée par l'Autriche.

M. LE COMTE APPONYI répond que d'après ses instructions il est autorisé à l'accepter.

Dans l'avis de M. DE BIEGELEBEN

of Northern Schleswig; that later when it had been maintained by the neutral Powers that a good military line was a necessity for Denmark, and that that of Apenrade did not satisfy this need, the Prussian Plenipotentiaries had declared themselves ready to recommend to their Government a line further south, that is to say, one which would leave to Denmark the position of Alsen and of Duppel, and which would thus give it, with the other position of Fione and of Fridéricia, a line of defense much stronger, as the last war has proved, than that of the Schley and of the Dannewerke: that, moreover, this line would combine the great advantage of dividing the two nationalities better than any other line, since it was the one which had separated, since the Reformation and up to 1848, the use of the German and the Danish languages in church and school. Count von Bernstorff believes that these reasons for suggesting the line in question are very excellent reasons. He repeats, however, that he has only been able to promise to recommend it to his Government, and that he is not yet authorized to propose it, since nothing has been done up to now by the other side towards meeting the German propositions.

EARL RUSSELL observes that this line has not been accepted by Austria.

COUNT APPONYI answers that according to his instructions he is authorized to accept it.

In the opinion of M. DE BIEGELEla ligne de Flensbourg à Tondern est aussi une bonne ligne commerciale.

MM. les Plénipotentiaires du Danemark maintiennent que la nationalité de la partie mixte du Schleswig est essentiellement Danoise.

M. le Comte Bernstorff insiste sur la nécessité de consulter les populations mêmes pour prouver le véritable état des choses.

Par suite d'une demànde faite par M. le Comte Russell, M. de Quaade rappelle que son Gouvernement s'est déclaré prêt à faire de grands sacrifices pour arriver au rétablissement de la paix, mais qu'il y a des limites qu'il ne saurait dépasser. Afin d'aller aussi loin que possible dans la voie des concessions, le Gouvernement Danois pourrait adopter la proposition Anglaise du 28 Mai dans sa totalité; il pourrait donc plus spécialement adopter la frontière proposée par M. le Comte Russell, c'est-à-dire, une ligne de démarcation partant de l'embouchure de la Slei et allant le long du Dannewerke jusqu'à la ville de Friedrichstadt.

M. de Krieger présente des observations contre la ligne indiquée par MM. les Ambassadeurs de l'Autriche et de la Prusse, laquelle ligne ne laisserait au Danemark que la partie la plus septentrionale du Schleswig. Il relève que Sa Majesté le Roi de Danemark ne consentira pas à ce que le Lauenbourg soit regardé comme compensation de la partie purement Danoise du Schleswig.

M. le Comte de Bernstorff dit qu'il avait bien raison de dire dans la

ben the Flensbourg-Tondern line is also a good commercial line.

The Plenipotentiaries of Denmark maintain that the nationality of the mixed part of Schleswig is essentially Danish.

Count von Bernstorff insists on the necessity of consulting the populations themselves in order to prove the true state of affairs.

In consequence of a request made by Earl Russell, M. de Quaade recalls that his Government has declared itself ready to make great sacrifices in order to arrive at a restoration of peace, but there are limits which he can not exceed. In order to go as far as possible along the path of concessions, the Danish Government could adopt the English proposition of May 28 in its entirety; it could then more especially adopt the frontier proposed by Earl Russell, that is to say, a line of demarcation beginning at the mouth of the Schley and running along the Dannewerke to the town of Friedrichstadt.

M. de Krieger presents observations against the line indicated by the Ambassadors of Austria and Prussia, which line would leave to Denmark only the most northern part of Schleswig. He holds that His Majesty the King of Denmark will not consent that Lauenbourg should be regarded as compensation for the purely Danish part of Schleswig.

Count von Bernstorff says that he was quite right in saying at the last session that they were further from dernière séance qu'on était plus loin de s'entendre qu'on ne le supposait.

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### Protocole No. 10.— Séance du 18 Juin, 1864.[1]

. . . . .

M. le Comte de Bernstorff prend la parole et dit:

" J'ai à faire la déclaration suivante au nom des Plénipotentiaires Prussiens:

" ' Nous avons déjà itérativement fait remarquer que la Conférence, pour avoir les informations dont elle a besoin, devait être éclairée sur les vœux des populations du pays dont l'avenir fait l'objet de ses délibérations. Guidés par cette conviction, et d'ordre de notre Gouvernement, nous demandons que les habitants du Schleswig soient consultés au sujet des dispositions à adopter à leur égard, et qu'il ne soit pas décidé du sort d'une partie ou de la totalité de ces populations, sans que préalablement leurs vœux aient été loyalement constatés. Nous sommes autorisés à discuter le mode de l'exécution et l'étendue de l'application à donner au principe dont nous proposons l'adoption.' "

Sur la demande de M. le Comte Russell si les Plénipotentiaires de Autriche adhèrent à cette déclaration, M. le Comte Apponyi s'est exprimé en ces termes:

" Les Plénipotentiaires Autrichiens se joignent à la déclaration qui vient d'être lue par MM. les Plénipoten-

an understanding than was supposed.

. . . . .

### Protocol No. 10.— Session of June 18, 1864.

. . . . .

Count von Bernstorff takes the floor and says: " I am instructed to make the following declarations in the name of the Prussian Plenipotentiaries: ' We have already pointed out repeatedly that the Conference, in order to have the information of which it is in need, ought to be enlightened as to the wish of the populations of the country whose future forms the object of its deliberations. Guided by this conviction, we, at the order of our Government, ask that the inhabitants of Schleswig should be consulted on the subject of the dispositions to be adopted in their regard, and that the fate of a part or of a whole of these populations should not be decided, without their wishes having been previously faithfully consulted. We are authorized to discuss the method of execution and the extent of the application to be given to the principle of which we propose the adoption.' "

On the question of Earl Russell as to whether the Plenipotentiaries of Austria adhere to this declaration, Count Apponyi expressed himself in these terms: " The Austrian Plenipotentiaries subscribe to the declaration which has just been read by the Prussian Plenipotentiaries, in so far

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[1] *Brit. St. Pap.*, vol. 54, p. 244.

tiaires Prussiens, en tant que selon l'opinion du Gouvernement Impérial le but de l'œuvre de la paix ne pourra être complètement atteint que moyennant le consentement des Duchés, exprimé par l'organe de leur Souverain et de leurs Représentants légalement constitués.

" Ils doivent cependant faire observer qu'à leur avis la question de la cession d'une partie du Schleswig intéresse presqu'autant le Holstein que le Schleswig, et qu'elle n'est pas de nature à être décidée par le vœu des populations consultées par districts ou par paroisses. Sous ce rapport ils ne peuvent que se référer aux réserves qu'ils ont faites précédemment à ce sujet."

M. de Quaade se réfère à la déclaration qu'il a faite dans la séance du 2 Juin au nom du Gouvernement Danois. Il rappelle que le Roi de Danemark n'a consenti à une cession territoriale éventuelle qu'à condition d'obtenir par là une existence indépendante et parfaitement autonome pour ce qui lui resterait de ses Etats, et qu'il n'a été nullement question de consulter les populations des territoires qui doivent rester attachés au Danemark. Ce n'est que dans la partie qui serait cédée que l'on devrait tenir compte des vœux des populations.

M. de Krieger trouve également cette proposition inacceptable. Il comprend que dans des circonstances tout-à-fait extraordinaires on ait recours aux procédés exceptionnels de

as, according to the opinion of the Imperial Government, the object of the work of peace can not be completely attained except by means of the consent of the Duchies, expressed through their Sovereign and their Representatives, legally constituted.

" They must, however, observe that according to their opinion the question of the cession of a part of Schleswig interests Holstein almost as much as Schleswig, and that it is not of a nature to be decided by the wish of the populations consulted by districts or by parishes. As to this point they can only refer to the reservations which they have already made on this subject."

M. de Quaade makes reference to the declaration which he has made at the session of June 2nd in the name of the Danish Government. He recalls that the King of Denmark has consented to an eventual territorial concession only on condition of obtaining by it an independent and perfectly autonomous existence for what would remain to him of his Estates, and that there has been no question of consulting the populations of the territories which are to remain attached to Denmark. It is only in the part which should be ceded that the wishes of the population should be considered.

M. de Krieger finds that this proposition is equally unacceptable. He understands that in wholly extraordinary circumstances one has recourse to the exceptional procedure of the

la consultation d'une nation; mais ces circonstances extraordinaires ne se présentent pas, et il n'existe pas proprement une nationalité Schleswickoise. Une proposition comme celle qui vient d'être faite, renferme une *petitio principii;* il faudrait d'abord qu'il eût été prouvé qu'une partie des populations soumises au Roi de Danemark devait être détachée des autres populations. Pourquoi ne consulter que les sujets Schleswickois du Roi de Danemark? Pourquoi ne pas aussi consulter tous les autres sujets de Sa Majesté? Cette proposition ne pose donc pas le principe des nationalités, mais plutôt le principe d'une autonomie provinciale toute extraordinaire: elle applique singulièrement aux exigences qu'on veut fonder sur une guerre un procédé auquel en général on n'a recours que dans les révolutions.

M. le Comte de Bernstorff dit que le but de la Conférence doit être de tomber d'accord sur une ligne de frontière, et que pour cela il serait nécessaire de connaître les vœux des populations intéressées dans la question.

M. le Baron de Brunnow s'exprimé aussi:

"Je regrette de me trouver dans l'obligation de déclarer que je diffère entièrement de l'opinion énoncée par MM. les Plénipotentiaires de la Prusse. Le sentiment de regret que j'éprouve est d'autant plus vif qu'il m'est pénible d'être en désaccord avec les Représentants d'une Puissance unie à la Russie par les liens d'une

consultation of a nation: but these extraordinary circumstances do not present themselves, and there does not exist, properly speaking, a Schleswig nationality. A proposition like that which has just been made contains a "*petitio principii*"; it is first of all necessary to prove that a part of the populations under the rule of the King of Denmark ought to be detached from the other populations. Why consult only the Schleswig subjects of the King of Denmark? Why not consult also the other subjects of His Majesty? This proposition does not lay down the principle of nationality, but rather the principle of a wholly extraordinary provincial autonomy: it applies solely to the circumstance that one wishes to base on a war a procedure to which in general one has recourse only in revolutions.

Count von Bernstorff says that the object of the Conference should be to agree on a frontier line, and for this it will be necessary to know the wishes of the populations interested in the question.

Baron de Brunnow expresses himself as follows:

"I regret to find myself obliged to declare that I differ absolutely from the opinion stated by the Plenipotentiaries of Prussia. The sentiment of regret which I feel is the more poignant as it is painful to me to disagree with the Representatives of a Power united to Russia by the ties of an intimate friendship. But if I

amitié intime. Mais si je dois de justes égards aux propositions d'une Puissance amie, j'ai des devoirs à remplir envers la Cour que j'ai l'honneur de représenter. Je dois, avant tout, maintenir les principes qui servent de règle à la politique de l'Empereur. Je m'éloignerais de ces principes si j'admettais l'appel que MM. les Plénipotentiaires de la Prusse proposent de faire aux populations du Schleswig. Dans quel but veut-on les consulter? Il s'agit de les interroger pour savoir s'ils veulent rester fidèles à leur Souverain? Et sous quelles circonstances cette consultation aura-t-elle lieu? Elle se fera tandis que le pays est placé sous le régime d'une occupation militaire."

M. LE PLÉNIPOTENTIAIRE DE RUSSIE a rappelé ici les événements qui ont amené cette occupation. Les Cours d'Autriche et de Prusse ont déclaré qu'en prenant possession du Duché de Schleswig, elles considéraient ce pays comme un gage matérial, entre leurs mains, afin d'obliger le Danemark à remplir ses engagements envers l'Allemagne. Aujourd'hui, après avoir militairement occupé ce Duché, la Prusse, loin de restituer ce gage à son Souverain, propose d'en appeler aux habitants afin qu'ils décident à qui ils veulent appartenir. C'est aux paysans de Schleswig qu'on s'adresse pour qu'ils tracent la frontière d'une contrée qui forme en ce moment l'objet des délibérations de la Conférence de Londres. Est-ce là le but dans lequel les Représentants des grandes Puissances ont été appelés à se réunir à

owe proper consideration to the propositions of a friendly Power, so have I a duty to fulfill towards the Court which I have the honor to represent. I must, above all, maintain the principles which serve to regulate the policy of the Emperor. I should forsake these principles if I were to admit the appeal which the Plenipotentiaries of Prussia propose to make to the populations of Schleswig. For what purpose is it desired to consult them? Is it proposed to interrogate them in order to ascertain whether they wish to remain faithful to their Sovereign? And under what circumstances will this consultation take place? It will be while the country is placed under the rule of a military occupation."

The PLENIPOTENTIARY OF RUSSIA here recalled the events which led up to this occupation. The Courts of Austria and of Prussia have declared that in taking possession of the Duchy of Schleswig, they would consider this country as a practical pledge in their hands, to oblige Denmark to fulfill its engagements towards Germany. Today, after having placed this Duchy under military occupation, Prussia, far from returning this pledge to its Sovereign, proposes to call on the inhabitants to decide to whom they wish to belong. It is the peasants of Schleswig who are called on to trace the line of frontier of a country which at this moment forms the object of the deliberations of the Conference of London. Is this the object for which the Representatives of the great Powers have been called to meet at

Londres? Le Plénipotentiaire de Russie est loin de l'admettre. Dans son opinion, les Puissances alliées ont reconnu la nécessité de se concerter avec les autres Puissances signataires du Traité de 1852 sur les arrangements qu'il conviendrait de substituer à cette transaction, après une entente établie d'une commun accord. Aujourd'hui, au lieu d'arriver à cette entente par les efforts, par les conseils réunis, des Représentants des Grandes Puissances de l'Europe, voudrait-on consulter les populations du Schleswig, pour subordonner à leur avis les Actes de la Conférence! Le Plénipotentiaire de Russie, pour sa part, ne saurait donner son assentiment à cette proposition.

M. le Comte de Bernstorff ne voit pas pourquoi M. le Baron de Brunnow a parlé exclusivement des paysans; il y a d'autres habitants dans le Duché de Schleswig: et il n'est pas même dit que les habitants doivent décider, mais que la Conférence devrait être éclairée sur les vœux des populations du pays dont l'avenir fait l'objet de ses déliberations. Quant à la question de l'occupation militaire pendant la consultation, elle n'a pas encore été discutée.

M. le Baron de Brunnow dit que la proposition de consulter les sujets du Roi de Danemark en vue de le déposséder serait une combinaison nouvelle de fait et un principe inadmissible en droit. Il regrette de l'entendre émettre par M. le Plénipotentiaire de Sa Majesté le Roi de Prusse.

London? The Plenipotentiary of Russia is far from admitting it. In his opinion, the Allied Powers have recognized the necessity of coming to an agreement with the other Powers signatory to the Treaty of 1852 as to the arrangements which it would be expedient to substitute for this transaction, according to an agreement established by common accord. Today, instead of arriving at this agreement by the efforts, by the united councils, of the Representatives of the great Powers of Europe, it is desired to consult the populations of Schleswig, in order to subordinate to their opinion the Acts of the Conference. The Plenipotentiary of Russia, for his part, can not give his consent to this proposition.

Count von Bernstorff does not see why Baron de Brunnow has spoken exclusively of the peasants; there are other inhabitants in the Duchy of Schleswig; and it is not even said that the inhabitants should decide, but that the Conference should be enlightened as to the wishes of the population of the country whose future forms the subject of its deliberations. As for the question of the military occupation during the consultation it has not yet been discussed.

Baron de Brunnow says that the proposition of consulting the subjects of the King of Denmark with a view to dispossessing him would be a combination new in practice and a principle inadmissible in law. He regrets to hear it advanced by the Plenipotentiary of His Majesty, the King of Prussia.

M. le Comte de Bernstorff répond qu'il n'est pas question dans la proposition de déposséder le Roi de Danemark, mais seulement d'éclairer la Conférence sur la meilleure ligne de démarcation à tracer.

M. de Quaade rappelle de nouveau qu'une cession territoriale n'a été admise que conditionnellement par son Gouvernement, qui s'est réservé le droit de revenir au Traité de Londres.

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M. le Comte de Clarendon fait observer que . . . il s'associe aux observations de M. le Baron de Brunnow en ce qui concerne la première déclaration de M. le Comte de Bernstorff, dont le but est de faire détrôner le Roi de Danemark. C'est là le véritable résultat qu'on veut obtenir en demandant aux sujets du Roi s'ils veulent rester, on non, sous son autorité. C'est encore là un principe nouveau et dangereux, qu'il a entendu avec une pénible surprise.

M. le Comte de Bernstorff dit qu'il n'a parlé spécialement ni de bourgeois ni de paysans. Il désire surtout que ce soient les Etats du pays qui aient à se prononcer, et il ne comprend pas la surprise de Lord Clarendon. Il cite la cession des Iles Ioniennes, et la consultation des vœux de leurs habitants à cet égard, comme l'exemple le plus récent, donné par l'Angelterre elle-même, de l'application de ce principe, qui n'est nullement aussi dangereux que le principe proclamé dans des pièces officielles émanées du Cabinet Britannique,

Count von Bernstorff answers that there is no question, in the proposition, of dispossessing the King of Denmark, but only of enlightening the Conference as to the best lines of demarcation to be drawn.

M. de Quaade again recalls that a territorial cession has been admitted only conditionally by his Government, which has reserved the right to revert to the Treaty of London.

. . . . .

The Earl of Clarendon agrees with the observations of Baron de Brunnow as to that which concerns the first declaration of Count von Bernstorff, of which the object is to dethrone the King of Denmark. This is, indeed, the real result which it is desired to obtain by asking the subjects of the King whether or not they wish to remain under his authority. This is, indeed, a new and dangerous principle, to which he has listened in painful surprise.

Count von Bernstorff says that he has not spoken especially of either bourgeois or peasants. He desires above all that it should be the Estates of the country which should have the function of pronouncing on the question, and he does not understand the surprise of Lord Clarendon. He cites the cession of the Ionian Islands, and the consultation of the wishes of their inhabitants in this regard, as the most recent example, given by England, herself, of the application of this principle, which is nowhere near as dangerous as the principle proclaimed in

d'après lequel chaque peuple qui ne serait pas content de son Gouvernement aurait le droit de le renvoyer et de s'en donner un autre. Le principe qu'il propose n'est pas non plus nouveau, puisqu'il a été appliqué dans les derniers temps presque à tous les pays qui ont changé de Maître. Il cite entre autres Naples, Toscane, la Savoie et Nice.

M. le Comte de Clarendon répond que l'Angelterre n'était pas Souveraine des Iles Ioniennes, mais qu'elle en avait accepté le Protectorat dans un intérêt Européen. Elle s'était déclarée prête à abandonner ce Protectorat avec l'assentiment des autres Puissances, si c'était de vœu général des populations.

. . . . .

M. le Baron de Brunnow rappelle que les Iles Ioniennes formaient un Etat indépendant, et qu'il ne s'agissait nullement de les détacher de leur Souverain.

La question qu'il fallait résoudre se réduisait à savoir si le Gouvernement des Iles Ioniennes désirait rester sous le Protectorat Anglais en conservant son indépendance, ou bien s'il préférait y renoncer pour se réunir au Royaume Hellénique. C'est dans ce but que le Gouvernement de Sa Majesté Britannique a consulté les vœux du Parlement Ionien. Cette détermination a été prise de concert avec les Répresentants réunis en Conférence à Londres. M. l'Ambassadeur de Prusse ne saurait l'avoir oublié, parce qu'il a pris part lui-même aux délibér-

the official documents emanating from the British Cabinet, according to which any people not content with its Government would have the right to depose it and to give itself another. The principle which he proposes is no longer novel, since it has been applied in recent times to nearly all the countries which have changed masters. He cites, among others, Naples, Tuscany, Savoy and Nice.

The Earl of Clarendon answers that England was not the Sovereign of the Ionian Islands, but that she had accepted the Protectorate in the interest of Europe. She had declared herself ready to abandon this Protectorate with the assent of the other Powers, if it should be the general wish of the populations.

. . . . .

Baron de Brunnow recalls that the Ionian Islands formed an independent State, and that there was no question of detaching them from their Sovereign.

The question which was to be settled reduced itself to that of ascertaining whether the Government of the Ionian Islands desired to remain under the English Protectorate while keeping its independence, or whether it preferred to renounce this in order to unite with the Hellenic Kingdom. It is with this object that the Government of Her Britannic Majesty has consulted the wishes of the Ionian Parliament. This determination was taken in concert with the Representatives united in Conference at London. The Ambassador of Prussia can not

ations de cette Conférence. Il devrait se persuader ainsi que l'exemple des Iles Ioniennes, auquel il se réfère, ne s'applique en rien à sa proposition actuelle de consulter les habitants de Schleswig, qu'ils soient paysans ou bourgeois.

. . . . .

M. le Comte de Bernstorff demande à citer un autre exemple que M. l'Ambassadeur de Russie admettra peut-être, puisque le Gouvernement de Russie y a lui-même concouru, c'est celui de la Grèce, ou une révolution a eu lieu, et où un nouveau Souverain a été établi en vertu d'une plébiscite. Il ne comprend pas l'application d'un principe dans un cas, et sa répudiation dans l'autre.

M. le Baron de Brunnow répond que la Grèce n'a pas été occupée par la Russie comme le Schleswig est occupé par les troupes Prussiennes; que la Grèce n'a pas été considérée non plus comme un gage matériel; enfin que le Gouvernement Impérial a concouru à reconnaître un Souverain élevé au Trône par l'Assemblée Nationale de la Grèce, mais qu'il n'a pas consulté les habitants de la Grèce pour le déposséder.

M. le Comte Russell tient à rappeler qu'il s'agissait en Grèce d'une révolution populaire, et que les Grecs avaient déjà constitué eux-mêmes un Gouvernement Provisoire. Revenant

have forgotten it, for he himself took part in the deliberations of that Conference.

He should, therefore, be convinced that the example of the Ionian Islands, to which he refers, in no way applies to the present proposition of consulting the inhabitants of Schleswig, whether they be peasant or bourgeois.

. . . . .

Count von Bernstorff asks to be allowed to cite another example which the Ambassador of Russia will perhaps admit, since the Government of Russia has itself concurred in it, namely that of Greece, where a revolution has taken place, and where a new Sovereign has been established by virtue of a plebiscite. He does not understand the application of a principle in the one case and its repudiation in the other.

Baron de Brunnow answers that Greece was not occupied by Russia as Schleswig is occupied by the Prussian troops: moreover, that Greece was not considered as a material pledge; finally, that the Imperial Government agreed to recognize a Sovereign elevated to the throne by the National Assembly of Greece, but that it did not consult the inhabitants of Greece in order to dispossess him.

Earl Russell begs to recall that in Greece it was a question of a popular revolution, and that the Greeks had already constituted for themselves a Provisional Government.

à la question du Danemark, M. le Comte Russell ajoute que le Traité de 1852 a eu pour objet de reconnaître le Roi comme Duc dans les Duchés. Quand Sa Majesté le Roi actuel a succédé après la mort du feu Roi, il a été reconnu dans tous ces Etats, et sans l'intervention de l'Allemagne il n'y aurait eu nulle part une succession plus paisible, ni plus régulière. C'est la Proclamation du Duc d'Augustenbourg dans le Holstein et l'invasion du Schleswig qui ont provoqué de mouvement insurrectionnel. La révolution n'a pas été faite par les habitants, mais par les armées alliées.

MM. les Plénipotentiaires Prussiens doivent protester contre cette manière de représenter les faits, et M. le Comte de Bernstorff soutient que ce sont au contraire les armées alliées qui ont empêché la révolution qui aurait éclaté tôt ou tard.

M. le Prince de la Tour d'Auvergne fait observer qu'une analogie complète ne paraît pas exister entre les situations auxquelles il a été fait allusion. Dans tous les cas, le principe du partage du Schleswig ayant été admis de part et d'autre, il ne s'agit plus que de trouver le tracé de la nouvelle frontière. Il y a là un but déterminé. La consultation pourrait s'appliquer aux districts mixtes, sans s'appliquer à tout le Duché de Schleswig.

M. le Comte de Bernstorff rappelle qu'il a fini sa déclaration en

Returning to the question of Denmark, Earl Russell adds that the Treaty of 1852 had for its object the recognition of the King as Duke in the Duchies. When his present Majesty succeeded on the death of the late King, he was recognized in all these States, and without the intervention of Germany there would have been nowhere a more peaceful and regular succession. It is the proclamation of the Duke of Augustenbourg in Holstein and the invasion of Schleswig which have provoked the insurrectionist movement. The revolution has not been brought about by the inhabitants but by the allied armies.

The Prussian Plenipotentiaries are forced to protest against this manner of representing the facts, and Count von Bernstorff maintains that, on the contrary, it is the Allied Armies which have prevented the revolution which would have broken out sooner or later.

Prince de la Tour d'Auvergne observes that there does not seem to be a complete analogy between the situations to which allusion has been made. At all events, the principle of the partition of Schleswig having been admitted by both sides, it is only a question of finding the line of the new frontier. There is a definite object. The consultation could be applied to the mixed districts without being applied to the whole Duchy of Schleswig.

Count von Bernstorff recalls that he finished his declaration by disant que le mode de l'exécution, ainsi que l'étendue de l'exécution à y donner, étaient à discuter.

M. le Prince de la Tour d'Auvergne avait cru comprendre qu'il s'agissait, dans la proposition émise par M. le Comte de Bernstorff, d'une consultation générale du Schleswig, et non pas d'une consultation limitée aux populations qui en seraient détachées et aux districts mixtes.

M. le Comte Wachtmeister a cru jusqu'ici que les seules populations à consulter étaient celles habitant dans les districts qui seraient volontairement cédés par le Danemark. Il considère comme impracticable de fixer le tracé d'une frontière d'après le vote des populations.

M. le Comte de Bernstorff ne trouve pas que les différents points de vue soient complètement divergents. La question est ouverte, selon lui, pour la discussion relativement à l'étendue de la consultation, pour décider si elle doit être appliquée à une partie ou à la totalité du Duché.

M. de Krieger, . . . tient à constater que les Schleswickois étaient sujets fidèles du Roi, et qu'ils n'auraient pas eux-mêmes pris les armes. Le Danemark n'a pas accepté d'une manière générale le principe du partage, mais il a adhéré à une certaine ligne de démarcation, en exigeant en retour certaines garanties politiques, commerciales et stratégiques. La question du Schleswig ne peut pas être réduite à une question de nationalité.

M. le Baron de Beust fait ob-

stating that the method of execution, as well as the scope to be given to it, were left for future discussion.

Prince de la Tour d'Auvergne has thought that he understood that in the proposition of Count von Bernstorff it was a question of a general consultation of Schleswig, and not of a consultation limited to the populations which should be detached, and to the mixed districts.

Count Wachtmeister has believed, up to now, that the only populations to be consulted were those inhabiting the districts to be voluntarily ceded by Denmark. He considers it impracticable to fix the line of frontier according to the vote of the populations.

Count von Bernstorff does not find the different points of view absolutely divergent. The question is open, according to him, for discussion as to the extent of the consultation, in order to decide whether it should be applied to a part or the whole of the Duchy.

M. de Krieger, . . . maintains that the Schleswig people were faithful subjects of the King, and that they would not of themselves have taken up arms. Denmark has not accepted in a general way the principle of partition, but it has adhered to a certain line of demarcation, while insisting, in return, on certain guarantees political, commercial and strategic. The question of Schleswig cannot be reduced to a question of nationality.

Baron von Beust observes that

server que les Schleswickois étant Danois selon M. de Krieger, il serait facile de le prouver par une consultation dont le résultat devrait être satisfaisant pour le Danemark. En le proposant on repousse le reproche si souvent entendu d'avoir envahi le Schleswig par esprit de conquête. Il serait juste d'accepter cet ordre de procéder. M. le Comte de Bernstorff a dit que le but de la proposition est d'aplanir les difficultés qui s'opposent au réglement de la question. Des points de vue très-opposés se trouvent en présence. MM. les Plénipotentiaires du Danemark et des Puissances neutres ont dit que le Schleswig fait toujours partie de la Monarchie Danoise, et qu'il ne s'agit que d'en détacher une partie. De son côté, il a soutenu à différentes reprises, que le Schleswig a cessé de faire partie de la Monarchie Danoise. Si, dans cette circonstance, il a pris sur lui d'exprimer une opinion qui n'avait pas encore été émise par la Diète, il peut dire maintenant que cette opinion a été confirmée et approuvée depuis par la Diète, qui ne saurait adopter la manière de voir de ces Plénipotentiaires au sujet de la disposition à faire de la partie septentrionale du Schleswig. La proposition de M. le Comte de Bernstorff n'aurait pas pour résultat inévitable que le Roi de Danemark fût dépossédé: elle est faite dans un esprit de paix et de conciliation, et nullement pour faire voter contre le Danemark. Libre aux populations de se prononcer, ce moyen d'arriver à une solution n'est pas aussi impracticable

as the people of Schleswig are Danish according to M. de Krieger, it would be easy to prove it by a consultation, the result of which should be satisfactory to Denmark. In proposing it they repudiate the reproach so often heard, of having invaded Schleswig in a spirit of conquest. It would be equitable to accept this order of procedure. Count von Bernstorff has said that the purpose of the proposition is to smooth away the difficulties which prevent the settlement of the question. There are diametrically opposite points of view here present. The Plenipotentiaries of Denmark and of the neutral Powers have said that Schleswig forms at all times a part of the Danish Monarchy, and that it is only a question of detaching a part of it. For his part he has repeatedly maintained, at different times, that Schleswig has ceased to form a part of the Danish Monarchy. If, in these circumstances, he has taken it on himself to express an opinion which has not as yet been emitted by the Diet, he can now say that this opinion has since been confirmed and approved by the Diet, which could not adopt the point of view of these Plenipotentiaries on the subject of the disposition to be made of the northern part of Schleswig. The proposition of Count von Bernstorff would not have for its inevitable result the dispossession of the King of Denmark: it is made in a spirit of peace and conciliation, and not at all to bring about a vote against Denmark. To leave the pop-

qu'on semble le croire. Une fois qu'on adopte le principe que c'est la population qui doit décider elle-même de son sort, les Puissances se trouveraient sur un terrain neutre. M. le Plénipotentiaire de France a rappelé que les Plénipotentiaires Allemands ont accepté le partage du Schleswig en principe. Mais pourquoi? Ils l'ont accepté, sachant qu'au nord du Schleswig il existe une population qu'on prétend être Danoise et vouloir être Danoise. Eh bien, qu'on le constate. MM. les Plénipotentiaires Danois ont soutenu que les Schleswickois sont très-Danois dans leurs sentiments. Il est cependant notoire qu'il y a eu beaucoup de manifestations dans ce Duché en faveur de l'Allemagne, et il serait impossible pour la Confédération d'abandonner des populations placées aujourd'hui sous la protection des armes Allemandes. Il s'agit plutôt de trouver une issue pratique que d'introduire un nouveau principe, et il faut employer des moyens qui donneraient à chaque partie la possibilité de se prononcer. Il ne peut pas nier que la nationalité ne soit en cause. La ligne de démarcation devrait se régler principalement d'après les éléments qui se trouvent de l'un ou de l'autre côté. On a parlé de regrets. Il y a plus d'une Cour Allemande qui a regretté de voir reconnu par des Gouvernements professant des principes conservateurs un état de choses détrônant des Princes légitimes au moyen d'une invasion et du suffrage universel.

ulations free to pronounce themselves, is a means of arriving at a solution not as impracticable as some appear to think. Once adopt the principle that it is the populations which ought themselves to decide their own fate, and the Powers would find themselves on a neutral ground. The Plenipotentiary of France has recalled that the German Plenipotentiaries have accepted the partition of Schleswig in principle. But why? They have accepted it, knowing that in the north of Schleswig there exists a population which, it is asserted, is Danish and wishes to be Danish. Very well, let it be proved. The Danish Plenipotentiaries have maintained that the people of Schleswig are very Danish in their sentiments. It is nevertheless notorious that there have been many manifestations in the Duchy in favor of Germany, and it would be impossible for the Confederation to abandon the populations placed today under the protection of the German arms. It is rather a question of finding a practical way out than of introducing a new principle, and it is necessary to employ means which would give to each party the possibility of pronouncing itself. It cannot be denied that it would be a trial of nationality. The line of demarcation should be arranged principally according to the elements found on the one side or the other. One has spoken of regrets. There is more than one German Court which has regretted to see

Ici il ne s'agit pas même de rien d'analogue.

M. le Baron de Brunnow a résumé la discussion en ces termes: " Dans cette réunion, nous choisissons des voies quelquefois divergentes pour arriver à un but qui nous est commun; je veux dire, le rétablissement de la paix. La proposition que MM. les Plénipotentiaires de la Prusse viennent d'émettre dans ce but n'a pas rencontré, au sein de la Conférence, un assentiment unanime. MM. les Plénipotentiaires de la Cour d'Autriche ont constaté en combien leurs vues diffèrent de celles de la Prusse. MM. les Plénipotentiaires de la Grande Bretagne ont prononcé leur dissentiment d'une manière encore plus formelle. J'ai été dans l'obligation de m'exprimer dans le même esprit. M. l'Ambassadeur de France a restreint la question aux districts mixtes, sans l'étendre au delà. M. le Ministre de Suède et Norvège n'a point voulu préjuger à cet égard les intentions des Plénipotentiaires du Danemark. Leur réponse est décisive. Elle décline la proposition Prussienne appuyée par M. le Plénipotentiaire de la Confédération Germanique seul. Le résultat de cette déliberation atteste que le mode de la solution indiquée par la Cour de Prusse n'a pas réuni les suffrages de la Conférence."

recognized by Governments professing conservative principles a state of affairs dethroning legitimate princes by means of invasion and of universal suffrage. There is nothing analogous in the present situation.

Baron de Brunnow summed up the discussion in these terms: " In this meeting we chose paths sometimes divergent in order to arrive at a common destination: by this I mean the reestablishment of peace. The proposition which the Plenipotentiaries of Prussia have recently made towards this end have not met in the minds of the Conference with a unanimous assent. The Plenipotentiaries of the Court of Austria have stated how greatly their views differ from those of Prussia. The Plenipotentaries of Great Britain have pronounced their dissent in a manner still more formal. I have been obliged to express myself in the same spirit. The Ambassador of France has limited the question to the mixed districts, without extending it further. The Minister of Sweden and Norway has not wished to prejudge the intentions of the Plenipotentaries of Denmark on this point. Their answer is decisive. The Conference declines the Prussian proposition, supported solely by the Plenipotentiary of the Germanic Confederation. The result of this deliberation proves that the method of solution indicated by the Court of Prussia has not gained the support of this Conference."

Après avoir constaté ce résultat, M. l'Ambassadeur de Russie a cru devoir inviter M. le Président à vouloir bien prendre en considération la nécessité d'aviser à une autre combinaison de nature à faciliter une transaction désirable.

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M. le Comte Russell répondant alors à l'invitation de M. le Plénipotentiaire de Russie, donne lecture d'une proposition ainsi conçue:

" Plusieurs semaines se sont passées depuis que nous nous sommes réunis en Conférence. La dernière suspension d'armes n'a été conclue que pour l'espace de 15 jours, et elle doit expirer le 26 de ce mois.

" Mais tout imminent que paraisse le renouvellement de la guerre, on ne saurait dire que nous n'avons fait aucun progrès vers le rétablissement de la paix. Les propositions que j'ai faites dans la séance du 28 Mai, et qui avaient obtenu l'assentiment préalable des Puissances neutres, ont été acceptées par le Danemark dans des termes presque identiques avec ceux dont je me suis servi en les proposant à la Conférence, ainsi que dans leur principe par les Puissances Allemandes belligérantes. MM. les Plénipotentiaires Danois, en donnant leur consentement à la cession des Duchés de Holstein et de Lauenbourg et au partage de Schleswig, ont demandé que la ligne de démarcation soit tracée au sud d'Eckernforde, et au sud de la ville de Schleswig, suivant la ligne du Dannewerke jusqu'à Friedrickstadt.

After having stated this result the Ambassador of Russia has thought it his duty to invite the President to be good enough to take under consideration the necessity of consulting as to another combination, of such a nature as would facilitate a desirable compromise.

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Earl Russell, in answer to the invitation of the Plenipotentiary of Russia, read a proposition as follows:

" Several weeks have passed since we have met in Conference. The last suspension of arms has been concluded for a space of only 15 days, and should expire on the 26 of the present month.

" But imminent as the resumption of war appears to be, it cannot be said that we have made no progress towards the reestablishment of peace. The propositions which I made at the session of May 28, and which had obtained the previous assent of the neutral Powers, have been accepted by Denmark in terms almost identical with those of which I have availed myself in presenting the propositions to the Conference, as well as, in principle, by the belligerent Germanic Powers. The Danish Plenipotentiaries, in giving their consent to the cession of the Duchies of Holstein and of Lauenbourg and to the partition of Schleswig, have demanded that the line of demarcation be drawn to the south of Eckernforde; and to the south of the city of Schleswig, following the line of the Dannewerke

MM. les Plénipotentiaires Allemands belligérants ont proposé l'adoption d'une ligne de démarcation qui partirait d'Apenrade et finirait à Tondern et Hoyer. Le point principal du désaccord se trouve donc réduit à des limites qui n'excluent pas l'espoir d'un rapprochement.

" Aussi longtemps que de graves intérêts, ainsi que l'honneur de l'Allemagne et du Danemark, paraissaient dépendre de la lutte, la proposition qui a été faite par Lord Clarendon au Congrès de Paris en 1856, qui y a obtenu l'adhésion de l'Autriche, de la France, de la Prusse, de la Russie, et de la Turquie, et qui plus tard a été adoptée par toutes les Puissances principales du monde, exprimant le vœu que les Etats entre lesquels s'élèverait un dissentiment sérieux eussent recours aux bons offices d'une Puissance amie avant d'en appeler aux armes, eût été inapplicable.

" Mais maintenant que la principale question en dispute s'est réduite à celle de tracer une frontière à quelques lieues plus ou moins au nord, quand les deux parties belligérantes ont soutenu avec éclat l'honneur de leurs armes, et quand la reprise des hostilités produirait une phase nouvelle de calamités douleureuses pour l'humanité et peu dignes de la civilisation de notre siècle, les Plénipotentiaires de la Grande Bretagne croient remplir un devoir sacré en proposant aux Puissances belligérantes, c'est-à-dire, à l'Autriche, à la Prusse, et au Danemark, de faire appel à une Puissance

as far as Frederickstadt. The Plenipotentiaries of the Germanic belligerents have proposed the adoption of a line of demarcation which should begin at Apenrade and finish at Tondern and Hoyer. The principal point of disagreement is thus reduced to limits which do not exclude the hope of an agreement.

" As long as grave interests, as well as the honor of Germany and of Denmark, appeared to depend on the struggle, the proposition made by Lord Clarendon to the Congress of Paris in 1856, which has obtained the adhesion of Austria, France, Prussia, Russia, and Turkey, and which has been later adopted by all the principal Powers of the world, expressing the wish that the States among which serious dissent should arise should have recourse to the good offices of a friendly Power before an appeal to arms, would have been inapplicable.

" But now that the chief question in dispute is reduced to that of tracing a frontier at some places more or less to the north, when the two belligerent parties have upheld with glory the honor of their arms, and when the resumption of hostilities would produce a new phase of calamities dolorous for humanity and unworthy of the civilization of our century, the Plenipotentiaries of Great Britain believe they are fulfilling a sacred duty in proposing to the belligerent Powers, that is to say, to Austria, Prussia and Denmark, to make an appeal to a friendly Power,

amie, afin qu'une ligne de frontière soit tracée, qui ne passerait ni au sud de la ligne indiquée par le Danemark, ni au nord de celle désignée par MM. les Plénipotentiaires Allemands."

## Protocole No. 11.— Séance du 22 Juin, 1864.[1]

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M. le Comte Russell constate, et il le fait avec regret, que sa proposition a été rejetée par le Danemark, et qu'elle n'a pas été acceptée par les Puissances alliées. Quant à la réponse des Puissances Allemandes belligérantes, il lui paraît évident qu'après deux ou trois mois de travaux inutiles, la décision du Souverain médiateur serait mise de côté dans le cas où une proportion tant soit petite des habitants d'un district en fût mécontente.

M. le Prince de la Tour d'Auvergne annonce que toutes les combinaisons qui ont été mises en avant pour arriver à un accord sur le tracé de la frontière ayant été malheureusement écartées, il croit devoir soumettre à la Conférence une nouvelle suggestion. Il s'exprime ainsi:

"Lorsque le Gouvernement de l'Empereur a donné son adhésion au projet de transaction mis en avant par le Principal Secrétaire d'Etat de Sa Majesté Britannique, dans la séance du 28 Mai, il espérait que les efforts réunis des Plénipotentiaires des Puissances neutres, accordés par les dispo-

in order that a line of frontier may be drawn, which shall pass neither to the south of the line indicated by Denmark, nor to the north of that designated by the German Plenipotentiaries."

## Protocol No. 11.— Session of June 22, 1864.

. . . . . .

Earl Russell states, and he does so with regret, that his proposition has been rejected by Denmark, and that it has not been accepted by the Allied Powers. As for the response of the belligerent Germanic Powers, it appears to him evident that after two or three months of useless laboring the decision of the mediating Sovereign would be put aside in case a proportion, however small, of the inhabitants of a district were dissatisfied with it.

Prince de la Tour d'Auvergne announces that all the combinations which have been advanced for arriving at an agreement as to the drawing of the frontier having been unhappily discarded, he believes that he should submit to the Conference a new suggestion. He expresses himself as follows:

"When the Government of the Emperor gave its adhesion to a proposed compromise put forward by the Chief Secretary of State of His Britannic Majesty, at the Session of May 28, he hoped that the united efforts of the Plenipotentiaries of the neutral Powers, aided by the conciliatory sitions conciliantes des Plénipotentiaires des Puissances belligérantes, parviendraient à amener, entre les parties intéressées, une entente sur le tracé de la ligne de frontière.

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[1] *Brit. St. Pap.*, vol. 54, p. 265.

" Ces espérances ne se sont malheureusement pas réalisées. Toutes les combinaisons proposées ont été repoussées, et aucun compromis ne semble jusqu'ici avoir chance d'être accepté. Dans cette situation, le Gouvernement de l'Empereur considère comme de son devoir de faire, dans l'intérêt de la paix, une dernière suggestion. C'est en vertu de leur nationalité que les districts septentrionaux du Slesvig doivent être attribués au Danemark et ceux du sud à l'Allemagne. On n'a pas jugé utile de faire un appel au vœu des populations là où ce vœu semblait manifeste; mais on pourrait le consulter là où il est douteux et où aucun autre moyen n'existerait plus pour établir un accord. Tout en admettant l'impossibilité de prendre la nationalité pour règle absolue, dans le partage des districts mixtes du Slesvig, le Gouvernement de l'Empereur est d'avis, cependant, que l'on devrait demander à un vote des communes les éléments d'appréciation auxquels on conviendrait de s'en rapporter. Ce vote par communes permettrait de tenir, dans le tracé définitif de la frontière, le compte le plus exact possible de chaque nationalité.

" Pour qu'il présentât d'ailleurs les garanties désirables, il serait utile d'établir que toute force militaire serait préalablement éloignée, et que les

dispositions of the Plenipotentiaries of the belligerent Powers, would succeed in leading to an agreement between the interested parties as to the drawing of the line of frontier.

" These hopes have, unfortunately, not been realized. All the combinations proposed have been rejected, and no compromise appears up to now to have any chance of being accepted. In this situation, the Government of the Emperor considers it as its duty, in the interest of peace, to make a last suggestion. It is by virtue of their nationality that the northern districts of Schleswig ought to be ascribed to Denmark and those of the south to Germany. It has not been judged wise to make an appeal to the wishes of the populations where that wish appeared manifest; but it could be consulted where it is doubtful, and where no other means exists wherewith to establish an agreement. While admitting the impossibility of taking nationality as an absolute rule in the partition of the mixed districts of Schleswig, the Government of the Emperor is nevertheless of the opinion there should be obtained from a vote of the communes, the elements of appreciation to which it is expedient to relate such a partition. This vote by communes would allow, in the definitive drawing of the frontier line, the giving of the most exact consideration possible to each nationality.

" Moreover, in order that desirable guarantees should be given, it would be well to determine that all military forces should be previously removed suffrages seraient exprimés en dehors de toute pression. Chaque Puissance pourrait, en outre, envoyer des délégués sur les lieux afin de constater la parfaite sincérité du scrutin."

M. le Comte de Bernstorff dit qu'il ne voit pas d'objection à prendre *ad referendum* la proposition que M. le Prince de la Tour d'Auvergne vient de soumettre à la Conférence, puisqu'elle part à peu près du même point de vue que la dernière proposition de son Gouvernement. Il rappelle cependant qu'il y aurait toujours la question de l'armistice à régler.

En réponse à une observation de M. le Comte de Bernstorff, M. le Prince de la Tour d'Auvergne dit que les districts à consulter devraient être, suivant lui, ceux qui se trouvent situés entre la ligne de frontière proposée au nord par MM. les Plénipotentiaires de l'Autriche et de la Prusse, et la ligne indiquée au sud par MM. les Plénipotentiaires Danois.

M. le Comte Apponyi, en se référant aux réserves qu'il a faites dans les séances précédentes, dit que d'après ses instructions il ne se croit pas autorisé à adhérer à la proposition qui vient d'être faite.

M. le Baron de Beust serait prêt à reconnaître dans la proposition de M. le Prince de la Tour d'Auvergne un moyen de rapprochement. Il croit que l'occupation militaire n'y serait pas un obstacle, et qu'il serait facile de donner aux populations toute liberté de se prononcer, sans aucune contrainte. Répondant à M. le Pléni-

and that the votes should be cast in the absence of all pressure. Each Power could, besides, send its delegates to the spot in order to establish the perfect sincerity of the vote."

Count von Bernstorff says that he sees no objection to taking *ad referendum* the proposition which the Prince de la Tour d'Auvergne has just submitted to the Conference, since it hardly differs from the point of view expressed in the last proposition of his Government. He recalls, however, that there is always the question of the armistice to be settled.

In answer to an observation of Count von Bernstorff, Prince de la Tour d'Auvergne says that the districts to be consulted should be, in his opinion, those which are situated between the line of frontier proposed to the north by the Plenipotentiaries of Austria and of Prussia and the line indicated to the south by the Danish Plenipotentiaries.

Count Apponyi, referring to the reservations which he has made at the preceding sessions, says that according to his instructions he does not believe himself authorized to adhere to the proposition just made.

Baron von Beust would be ready to recognize in the proposition of the Prince de la Tour d'Auvergne a means of agreement. He believes that the military occupation would not be an obstacle, and that it would be easy to give to the populations complete liberty to express their opinion, without any restraint. In answer to

potentiaire de France, qui lui demande s'il entend par là la retraite des troupes Allemandes pendant la consultation, il dit que dans sa pensée personnelle il la juge possible, aussi bien que des mesures qui, sans entraver la marche de l'administration, garantiraient l'exercice parfaitement indépendant du vote.

M. le Comte Russell, en demandant l'opinion de MM. les Plénipotentiaires Danois sur la proposition, dit que quant aux Plénipotentiaires Anglais, ils seraient tout disposés à s'y rallier, si le Gouvernement Danois croyait pouvoir y donner son adhésion.

M. de Quaade répond qu'il se trouve naturellement sans instructions spéciales à ce sujet, et qu'il ne saurait consentir à la prendre même *ad referendum.* Il rappelle sa déclaration du 2 Juin, dans laquelle il a dit que son Gouvernement ferait de grands sacrifices pour arriver au rétablissement de la paix, mais qu'il y avait des limites qu'il ne pouvait dépasser; et les instructions dont il est muni lui défendent de consentir à aucune autre ligne qu'à celle proposée par MM. les Plénipotentiaires Anglais dans la séance du 28 Mai, et acceptée par le Danemark.

M. de Krieger, tout en s'associant à la réponse de M. de Quaade, se réfère à la discussion qui a eu lieu à la dernière séance au sujet de la proposition de M. le Comte de Bernstorff de consulter les populations du Sles-

the Plenipotentiary of France, who asks whether he means by that the withdrawal of the German troops pending the consultation, he says that in his personal judgment he considers it possible, as well as those measures which, without interfering with the progress of administration, would guarantee the perfectly independent exercise of the vote.

Earl Russell, in asking the opinion of the Danish Plenipotentiaries on the proposition, says that as for the English Plenipotentiaries, they would all be disposed to agree to it, if the Danish Government should consider it possible to give to it its adhesion.

M. de Quaade answers that he finds himself, naturally, without special instructions on the subject, and that he can not consent to take it even *ad referendum.* He recalls his declaration of June 2, in which he has said that his Government would make great sacrifices to arrive at the reestablishment of peace, but that there were limits which he could not pass; and the instructions with which he is provided forbid his consent to any other line than that proposed by the English Plenipotentiaries in the session of May 28, and accepted by Denmark.

M. de Krieger, while joining in the answer of M. de Quaade, refers to the discussion which has taken place, at the last session, on the subject of the proposition of Count von Bernstorff to consult the populations vig, et surtout à ce qui a été dit à cet égard par M. le Baron de Brunnow.

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of Schleswig, and above all to what was said on the subject by Baron de Brunnow.

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### SUMMARY OF THE DELIBERATIONS OF THE CONFERENCE OF LONDON [1]

. . . . .

Toutes les combinaisons mises en avant pour arriver à un accord sur le tracé de la frontière ayant été malheureusement écartées, le Prince de la Tour d'Auvergne a cru devoir soumettre à la Conférence une nouvelle suggestion. . . .

Lord Russell, en demandant l'opinion de MM. les Plénipotentiaires Danois sur cette proposition, a dit que quant aux Plénipotentiaires Anglais, ils seraient tout disposés à s'y rallier, si le Gouvernement Danois croyait pouvoir y donner son adhésion.

M. de Quaade a répondu qu'il se trouvait naturellement sans instructions à ce sujet, et qu'il ne saurait consentir à la prendre même *ad referendum.* Il a rappelé sa déclaration du 2 Juin, dans laquelle il a dit que son Gouvernement ferait de grands sacrifices pour arriver au rétablissement de la paix, mais qu'il y avait des limites qu'il ne pouvait dépasser; et les instructions dont il est muni lui défendent de consentir à aucune autre ligne qu'à celle proposée par MM. les Plénipotentiaires Anglais dans la séance du 28 Mai, et acceptée par le Danemark.

. . . . .

All the combinations proposed in order to arrive at an agreement as to the drawing of the frontier having unhappily been discarded, Prince de la Tour d'Auvergne has believed it his duty to submit to the Conference a new suggestion. . . .

Lord Russell, on asking the opinion of the Danish Commissioners on this proposition, said that as to the English Plenipotentiaries, they would all be disposed to give their support to it, if the Danish Government felt it could give its adhesion.

M. de Quaade answered that he found himself naturally without instructions on this subject, and that he could not consent to take it even *ad referendum.* He recalled his declaration of June 25 in which he said that his Government would make great sacrifices to arrive at a restoration of peace, but that there were limits which he could not pass; and the instructions with which he is provided forbid him to consent to any other line than that proposed by the English Plenipotentiaries at the session of May 28, and accepted by Denmark.

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[1] Annex to Protocol No. 12, July 25. *Brit. St. Pap.,* vol. 54, p. 305. For the first part of the Summary, see p. 886.

Cette déclaration a terminé le débat. Elle a indiqué en même temps l'obstacle que les efforts les plus persévérants des Puissances neutres n'ont pas été à même de surmonter.

C'est devant cette difficulté invincible que les travaux de la Conférence de Londres viennent de s'arrêter.

This declaration ended the debate. It indicated, at the same time, the obstacle which the most persevering efforts of the neutral Powers have not been able to surmount.

It is in face of this insuperable difficulty that the labors of the Conference of London have just come to an end.

## *Treaty of Peace Between Austria and Prussia on the One Part and Denmark on the Other Part.*[1] *Signed at Vienna, October* 30, 1864 [2]

Au nom de la très-sainte et indivisible Trinité.

S. M. le Roi de Prusse, S. M. l'Empereur d'Autriche et S. M. le Roi de Danemark ont résolu de convertir les préliminaires signés le 1er août dernier en traité de paix définitif. A cet effet, Leurs Majestés ont nommé pour leurs plénipotentiaires, savoir:

. . . . Lesquels se sont réunis en conférence à Vienne, et après avoir échangé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants:

Art. 1er. Il y aura à l'avenir paix et amitié entre LL. MM. le Roi de Prusse et l'Empereur d'Autriche et S.M. le Roi de Danemark, ainsi qu'entre leurs héritiers et successeurs, leurs Etats et sujets respectifs à perpétuité.

Art. 2. Tous les traités et con-

In the name of the Most Holy and Indivisible Trinity.

His Majesty the King of Prussia, His Majesty the Emperor of Austria, and His Majesty the King of Denmark have resolved to convert the preliminaries signed on the first of August last, into a final treaty of peace. For this purpose, their Majesties have named as their plenipotentiaries, that is to say:

[Here follow the names of plenipotentiaries] Who have met in conference at Vienna, and having exchanged their full powers, found in good and due form, have agreed to the following articles:

Art. 1. There shall be Peace and Friendship between Their Majesties the King of Prussia and the Emperor of Austria and His Majesty the King of Denmark, as well as between their heirs and successors, their respective states and subjects, forever.

Art. 2. All the Treaties and Conventions conclus avant la guerre entre les hautes parties contractantes sont établis dans leur vigeur en tant qu'ils ne se trouvent pas abrogés ou modifiés par la teneur du présent traité.

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[1] Martens, *N. R. G.*, vol. 17, pt. 2, p. 474. *Brit. St. Pap.*, vol. 54, p. 522.

[2] Ratifications exchanged November 16, 1864.

ART. 3. S. M. le Roi de Danemark renonce à tous ses droits sur les duchés de Slesvig-Holstein et Lauenbourg en faveur de LL. MM. le Roi de Prusse et l'Empereur d'Autriche, en s'engageant à reconnaître les dispositions que Leurs dites Majestés prendront à l'égard de ces duchés.

. . . . .

ART. 19. Les sujets domiciliés sur les territoires cédés par le présent Traité jouiront pendant l'espace de 6 ans à partir du jour de l'échange des ratifications et moyennant une déclaration préalable à l'autorité compétente de la faculté pleine et entière d'exporter leurs biens-meubles en franchise de droits et de se retirer avec leurs familles dans les Etats de Sa Majesté Danoise, auquel cas la qualité de sujets Danois leur sera maintenue. Ils seront libres de conserver leurs immeubles situés sur les territoires cédés.

La même faculté est accordée réciproquement aux sujets Danois et aux individus originaires des territoires cédés et établis dans les Etats de Sa Majesté le Roi de Danemarc.

Les sujets qui profiteront des présentes dispositions ne pourront du fait de leur option, être inquiétés de part ni d'autre dans leurs personnes

ventions, concluded before the war between the High Contracting Parties, are restored to force in so far as they are not abrogated or modified by the purport of the present treaty.

ART. 3. His Majesty the King of Denmark renounces all his rights over the Duchies of Schleswig-Holstein and Lauenbourg in favor of their Majesties the King of Prussia and the Emperor of Austria, undertaking to recognize the dispositions which their Majesties shall make with regard to those Duchies.

. . . . .

ART. 19. The subjects domiciled in the territories ceded by the present treaty shall enjoy during the period of 6 years, beginning from the date of the exchange of ratifications and by means of a previous declaration before the proper authority, the full and complete right to export their personal property to which they have full title, and to withdraw with their families into the States of His Danish Majesty, in which case their status as Danish subjects shall be maintained. They shall be free to preserve their real property situated within the ceded territory.

The same provision is similarly accorded to the Danish subjects and to those born in the ceded territories and established in the State of His Majesty the King of Denmark.

The subjects who shall profit by the present disposition shall not, on account of the fact of option, be molested on the one part or the other as ou dans leurs propriétés situées dans les Etats respectifs.

Le délai susdit de 6 ans s'applique aussi aux sujets originaires soit du Royaume de Danemarc, soit des territoires cédés qui, à l'époque de l'échange des ratifications du présent Traité, se trouveront hors du territoire du Royaume de Danemarc ou des Duchés. Leur déclaration pourra être reçu par la mission Danoise la plus voisine, ou par l'autorité supérieure d'une province quelconque du Royaume ou des Duchés.

Le droit d'indigénat tant dans le Royaume de Danemarc que dans les Duchés, est conservé à tous les individus qui le possèdent à l'époque de l'échange des ratifications du présent Traité.

. . . . . .

Art. 24. Le présent traité sera ratifié et les ratifications en seront échangées à Vienne dans l'espace de trois semaines ou plus tôt si faire se peut. En foi de quoi les plénipotentiaires respectifs l'ont signé et y ont apposé le sceau de leurs armes.

Fait à Vienne, le trentième jour du mois d'octobre de l'an de grâce mil huit cent soixante-quatre.

to their persons or their property situated within the respective States.

The period of 6 years applies also to the native subjects either of the Kingdom of Denmark or of the ceded territories, who, at the time of the exchange of ratifications of the present treaty, may be outside the territory of the Kingdom of Denmark or the Duchies. Their declaration may be received by the nearest Danish Legation or by the supreme authority of the province, whether of the Kingdom or of the Duchies.

The rights of natives in the Kingdom of Denmark as well as in the Duchies are preserved to all individuals who are in possession thereof at the time of exchange of ratifications of the present Treaty.

. . . . . .

Art. 24. The present treaty shall be ratified and the ratifications shall be exchanged at Vienna within the period of three weeks, or sooner if possible. In witness whereof the respective plenipotentiaries have signed it and have affixed the seal of their arms.

Done at Vienna on the 30th day of the month of October in the year of grace 1864.

[Here follow signatures.]

## *Treaty of Peace Between Prussia and Austria. Signed at Prague, August 23, 1866* [1]

Im Namen der Allerheiligsten und Untheilbaren Dreieinigkeit!

In the name of the Most Holy and Indivisible Trinity.

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[1] Martens, *N. R. G.*, vol. 18, p. 344. Translation from *British and Foreign State Papers,*

Seine Majestät der König von Preussen und Seine Majestät der Kaiser von Oesterreich, beseelt von dem Wunsche, Ihren Ländern die Wohlthaten des Friedens wiederzugeben, haben beschlossen, die zu Nikolsburg am 26. Juli 1866 unterzeichneten Präliminarien in einen definitiven Friedens-Vertrag umzugestalten.

Zu diesem Ende haben Ihre Majestäten zu ihren Bevollmächtigten ernannt und zwar:

His Majesty the Emperor of Austria and His Majesty the King of Prussia, animated with the desire of restoring to their countries the benefits of peace, have determined to convert the preliminaries signed at Nikolsburg, on the 26th day of July, 1866, into a definitive Treaty of Peace, and for that purpose their Majesties have appointed as their Plenipotentiaries, that is to say:

[Here follow the names of plenipotentiaries.]

welche in Prag zu einer Conferenz zusammengetreten sind und, nach Auswechselung ihrer in guter und richtiger Form befundenen Vollmachten über nachstehende Artikel sich vereinigt haben.

Who met together in Conference at Prague, and, after exchanging their full powers, which were found in good and proper form, agreed upon the following Articles:

. . . . . . . . . .

ARTIKEL V. Seine Majestät der Kaiser von Oesterreich überträgt auf Seine Majestät den König von Preussen alle Seine im Wiener Frieden vom 30. Oktober 1864 erworbenen Rechte auf die Herzogthümer Holstein und Schleswig mit der Maassgabe, dass die Bevölkerungen der nördlichen Distrikte von Schleswig, wenn sie durch freie Abstimmung den Wunsch zu erkennen geben, mit Dänemark vereinigt zu werden, an Dänemark abgetreten werden sollen.

V. His Majesty the Emperor of Austria transfers to His Majesty the King of Prussia all the rights which he acquired by the Vienna Treaty of Peace of 30th October, 1864, over the Duchies of Holstein and Schleswig, with the condition that the populations of the northern districts of Schleswig shall be ceded to Denmark if, by a free vote, they express a wish to be united to Denmark.

. . . . . . . . . .

ARTIKEL XIV. Die Ratifikationen des gegenwärtigen Vertrages sollen zu

XIV. The ratifications of the present Treaty shall be exchanged at

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vol. 56, p. 1050. (It will be observed that the translation is of the Austrian copy of the treaty.) Ratifications exchanged at Prague, August 30, 1866.

Prag binnen einer Frist von acht Tagen, oder, wenn möglich, früher ausgewechselt werden.

Urkund dessen haben die betreffenden Bevollmächtigen gegenwärtigen Vertrag unterzeichnet und mit dem Insiegel ihrer Wappen versehen.

So geschehen in Prag, am 23. Tage des Monats August im Jahre des Heils Achtzehn Hundert sechzig und sechs.

WERTHER,
BRENNER.

Prague within the space of 8 days, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed to it the seals of their arms.

Done at Prague, on the 23rd day of the month of August, in the year of salvation, 1866.

(L. S.) WERTHER.
(L. S.) BRENNER.

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## *Prussian Note to Denmark Concerning a Plebiscite in North Schleswig. June* 30, 1867 [1]

(The Prussian Minister von Heydebrand and von der Lasa to the Danish Minister of Foreign Affairs, von Frijs.)

*Kopenhagen,* 18. *Juni* 1867.

Der Unterzeichnete hat wiederholt die Ehre gehabt in vertraulicher Unterredung die Aufmerksamkeit des königl. dänischen Hrn. Conseil-Präsidenten auf die Fragen zu lenken welche sich an die Ausführung des Art. V. des zwischen Preussen und Oesterreich am 30. August 1866 zu Prag abgeschlossenen Friedens knüpfen. Er hat dabei den Wunsch seiner Regierung auszudrücken gehabt sich mit dem königl. dänischen Gouvernement in freundschaftlicher Weise über gewisse Vorfragen zu verständigen welche die nothwendige Voraussetzung der Abtretung eines Theils des Herzogthums Schleswig bildeten, und er hat als diese Vorfragen die

*Copenhagen, June* 18, 1867.

The undersigned has several times had the honor in a confidential interview of calling the attention of the President of the Danish cabinet to questions connected with the execution of Article 5 of the treaty concluded at Prague on August 30, 1866, between Prussia and Austria. The undersigned has expressed the desire of his Government to come to an amiable understanding with the Danish Government on certain preliminary questions which formed the necessary premise to the cession of a part of the Duchy of Schleswig, and indicated that these preliminary questions were the guarantees indispensable for securing the protection of German na-

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[1] *Allgemeine Zeitung,* Augsburg, June 30, 1867.

nöthigen Garantien für den Schutz der in jenem Territorium wohnenden Deutschen und die Uebernahme eines verhältnissmässigen Antheils an der Schuldenlast der Herzogthümer bezeichnet. Der Hr. Conseil-präsident hat auch die Bereitwilligkeit ausgesprochen über diese Punkte in Verhandlungen zu treten, und die Regierung Sr. Maj. des Königs, des allergnädigsten Herrn des Unterzeichneten, durfte sich der Erwartung hingeben dass der königl. dänische Gesandte in Berlin in den Stand gesetz werden würde die Absichten seiner Regierung in beiden Beziehungen kund zu geben. Zu ihrem lebhaftesten Bedauern hat sie in der neuesten Eröffnung des letzteren, in einer vertraulich mitgetheilten Depesche des Hrn. Ministers von Frijs an Hrn. v. Quaade vom 1. d. M., anstatt der gehofften bestimmteren Erklärungen nur den Hinweis auf die bestehenden Gesetze und Verträge gefunden, welche der Hr. Minister für so vollkommen ausreichend hält, dass jede weitere Garantie überflüssig und sogar bedenklich sein würde. Die Regierung des g. ergebenst unterzeichneten glaubt in dieser vorläufigen Aeusserung nicht die definitive Auffassung der königlich dänischen Regierung erkennen zu sollen. Die letztere wird sich bei näherer Erwägung die Eigenthümliche Natur der Verhältnisse nicht verhehlen können, welche es für die Preussische Regierung unmöglich machen unter den besonderen Umständen in jenen Landstrichen sich mit dem Hinweis auf die Gesetze und den

tionals residing in that territory, and the assumption of a proportional part of the debt of the Duchies. The President of the council declared himself ready to enter into negotiations on those points, and the Government of the King, the gracious Sovereign of the undersigned, had a right to expect that the Danish Minister at Berlin would soon be in a position to communicate the views of his Government on the two points abovementioned. The Prussian Government, to its great regret, has found in the most recent communication of the latter, consisting of a dispatch of June 1 confidentially communicated by the Minister de Frijs to M. de Quaade, instead of the more precise declarations which it had expected, only a reference to existing laws and treaties, which the Minister considered as amply sufficient; so much so, that he would regard any more extensive guarantee as superfluous and even dangerous. The Government of the undersigned does not believe that it should consider this declaration as the definitive expression of the position of the Danish Government. A more profound examination of the question can not fail to make manifest, in the eyes of the Danish Government, that the special nature of the circumstances forbid the Prussian Government, under the peculiar conditions existing in those regions, to content itself with a simple reference to existing laws and vague assurances of the uncontested favor which the Danish Government would eventually

allgemeinen Zusicherungen eines nicht bezweifelten Wohlwollens der köngl. dänischen Regierung gegen alle ihre eventuellen Unterthanen zu begnügen. Sie wird es natürlich finden dass, wenn Se. Maj. der König sich bereit erklärte etwaige auf eine Wiedervereinigung mit Dänemark gerichtete Wünsche nordschleswigischer Unterthanen in Erfüllung gehen zu lassen, die Wünsche und die Bedürfnisse seiner deutschen Unterthanen in jenen Territorien für ihn keine geringere Bedeutung haben. Deutsche Gemeinden wider ihren Willen und mit dem Verluste jedes Rechts auf ihre nationalen Eigenthümlichkeiten an ein fremdes Land abzutreten, und sie Gefahren preis zugeben deren Befürchtung in Erinnerung an die Vergangenheit unter ihnen selbst laut genug hervortritt, hat der Prager Friedensvertrag Preussen nicht verpflichtet. Die Königliche Regierung hat eben durch jenen Artikel des Friedensvertrags gezeigt dass sie auf die Wünsche und auf die Nationalität der Bevölkerung nach Möglichkeit Rücksicht nehmen will; sie ist aber dabei verpflichtet diese Rücksicht vor allem den eigenen Landsleuten gegenüber nicht ausser Augen zu setzen, und sie darf nicht vergessen dass die Ursachen der Störung des in früheren Zeiten bestandenen guten Einvernehmens hauptsächlich in dem Umstand lagen dass die Regierung Sr. Maj. des Königs von Dänemark nach der Umgestaltung der älteren Verfassung der Monarchie nicht mehr im Stande war den deutschen Unterthanen der dänischen

show to its future subjects. The Cabinet of Copenhagen will find it quite natural that if the King of Prussia should declare himself disposed to permit the accomplishment of a wish to return to Denmark possibly manifested amongst the subjects of Northern Schleswig, the desires and wants of his own German subjects in those territories have not less importance in his eyes. To abandon German communities to a foreign power, against their will and with the loss of every right to their national culture, and to deliver them up to dangers the fear of which is very clearly manifested amongst them, when they remember what has taken place, that is a measure to which Prussia is not pledged by the Treaty of Prague. By Art. 5 of that document, the King's Government has formally declared its intention, within the limits of possibility, to take under consideration the wishes and the nationality of the population; but it is the duty of this Government above all not to fail in such consideration towards its own fellow countrymen, and it must not forget that the chief causes of the dispute which so lately changed the good relations existing between the two Governments was the fact that the Danish Government found it impossible, after the remodelling of the old constitution of the monarchy, to grant to the German subjects of the Danish Crown the protection of their nationality and language, which they formerly enjoyed. At the present day the Government of the King, the

Krone den selben Schutz ihrer Nationalität und Sprache zu gewähren, dessen dieselben sich ehemals erfreut hatten. Die Regierung Sr. Maj. des Königs, des a. H. des Unterzeichneten, würde unter der Nachwirkung der Ereignisse und Kämpfe der letzten Jahre mehr als früher befürchten müssen dass die Klagen deutscher Einwohner Schleswigs, welche in Deutschland ihren natürlichen Wiederhall fanden, berechtigten Anlass zu ihrer Wiederholung fänden, wenn deutsche Gemeinden im Norden Schleswigs ohne Verfassung-Bürgschaften der Botmässigkeit einer Regierung unterstellt würden welche, bei dem besten Willen ihren deutschen Unterthanen gerecht zu werden doch vor allem dem verfassungsmässigen Ausdruck der Stimmung einer national-dänischen Volksvertretung Rechnung zu tragen hat. Die Regierung Sr. Maj. des Königs von Dänemark wird ohne Zweifel die Ueberzeugung des Unterzeichneten theilen dass es zur Sicherstellung der von beiden Seiten erstrebten freundschaftlichen Beziehungen zwischen Deutschland und Dänemark rathsam ist nicht von neuem die Keime ähnlicher Zerwürfnisse zu legen, wie es diejenigen waren welche früher den Frieden beider Länder und dadurch den Europas gefährdeten. Der Unterzeichnete ist daher von seiner Regierung beauftragt worden an den Hrn. Conseil-Präsidenten amtlich die Anfrage zu richten: ob die Königliche dänische Regierung sich im Stande glaube Einrichtungen zu treffen und

August Master of the undersigned, in the face of the after effects of the events and struggles of the last years, would have more than ever to apprehend that the complaints of the German inhabitants of Schleswig, which have found their natural echo in Germany, would find opportunity, but too well justified, for breaking out afresh if the German communities of North Schleswig were made subject, without the security of a Constitution, to a government which, though they wished to do the most justice to the desires of their German subjects, nevertheless has to make allowances for the constitutional expression of the temper of a national Danish assembly. The Government of His Majesty, the King of Denmark, will without doubt share the conviction of the undersigned that it is advisable for the security of the friendly relations between Denmark and Germany, longed for by both sides, not to sow the seed of similar disagreements such as those which previously endangered the peace of both countries and, through them, of Europe. The undersigned is therefore empowered by his Government to ask officially of the President of the Danish Council, whether the royal Danish Government believes itself to be in the position to make adjustments and guarantees which will provide for the protection and security of the national culture of the German nationals living, singly or in parishes, in the territories the cession of which is in question, and of what nature would be these guarantees in

Massregeln in Aussicht zu stellen welche für den Schutz und die Sicherung der nationalen Eigenthümlichkeit der in den etwa abgetretenen Gebietsteilen einzeln oder in Gemeinden wohnenden Deutschen bestimmte Bürgschaften geben, und welcher Art in individueller, localer und communaler Beziehung diese Garantien sein würden, oder ob sie eine solche Berücksichtigung und Erhaltung der nationalen Eigenthümlichkeit künftiger deutschen Unterthanen für unmöglich erachtet, oder wenigstens darüber im voraus bestimmter Weise sich zu erklären, definitiv ablehnt? Es bedarf nicht erst der Bemerkung dass von der Beantwortung dieser Fragen der Umfang der beabsichtigten Abstimmung, resp. Abtretung, abhängig ist; und jemehr die königliche Regierung wünscht durch den Abschluss dieser Angelegenheit sowohl der Stimmung der Bevölkerung Rechnung zu tragen, als auch der königlich dänischen Regierung einen Beweis ihrer freundschaftlichen Gesinnungen zu geben, um so mehr muss sie auch erwarten dass die letztere durch ein entsprechendes Entgegenkommen ihr die Beschleunigung möglich machen werde. Zugleich mit diesem Gegenstand darf der ganz ergebenst Unterzeichnete sich auch über den zweiten, bereits in den vertraulichen Unterredungen von ihm berührten Punkt, nämlich die Bereitwilligkeit zur Uebernahme eines proportionirten Theiles der Schuld der Herzogthümer, eine bestimmte Aeusserung erbitten. Er benützt zugleich diesen Anlass, u. s. w.

respect to individual, local or community relations. Or, whether the Danish Government considers that such regard for and maintenance of the national culture of its future German subjects is impossible, or at least categorically refuses to declare itself definitely about this subject in advance. It is not necessary to remark that on the answer to this question depends the extent of this intended plebiscite and the cession; and the more the royal Government wishes through the conclusion of this discussion to take into consideration the wishes of the people, as well as to give the royal Danish Government a guarantee of her friendly spirit, the more she must expect that the Danish Government, through a corresponding response, will make it possible for her to hasten the matter. At the same time the undersigned begs to ask also for a definite solution of the second point, already touched on by him in confidential conversations, namely, the readiness to take over a proportional part of the debt of the Duchies. He makes use of this occasion, etc.,

## *Treaty Between Austria-Hungary and Germany, Modifying Article V of the Treaty of Prague. Signed October* 11, 1878 [1]

Nachdem die in Artikel V. des zwischen Sr. Majestät dem Deutschen Kaiser und König von Preussen und Sr. Majestät dem Kaiser von Oesterreich, König von Böhmen und apostolischen König von Ungarn am 23. August 1866 zu Prag abgeschlossenen Friedens enthaltenen Bestimmungen in Betreff der Modalität einer Retrocession der nördlichen Distrikte Schleswigs an Dänemark zur vertragsmässigen Durchführung nicht gelangt sind;

nachdem Se. Majestät der Deutsche Kaiser und König von Preussen den Werth zu erkennen gegeben hat, welchen Er auf die Beseitigung dieser Modalität des Friedens legen würde;

andererseits Se. Majestät der Kaiser von Oesterreich und König von Ungarn die Schwierigkeiten würdigt, welche sich der Durchführung des in jenem Artikel niedergeleten Prinzipes entgegenstellen;

nachdem endlich Se. Majestät der Kaiser von Oesterreich und König von Ungarn einen Beweis Seines Wunsches zu geben gewillt ist, die zwischen den beiden Mächten bestehenden freundschaftlichen Bande noch enger zu schliessen:

so haben die Hohen Kontrahenten übereinstimmend für nothwendig erkannt, eine Revision des oben bezeichneten Artikels eintreten zu lassen.

The provisions contained in Article V of the Peace concluded at Prague on the 23d of August, 1866, between His Majesty the German Emperor and King of Prussia and His Majesty the Emperor of Austria, King of Bohemia, and Apostolic King of Hungary, concerning the manner of effecting a retrocession of the northern districts of Schleswig to Denmark, not having been yet carried out according to the terms of the Treaty;

His Majesty the German Emperor, King of Prussia having made known the value which he would attach to the removal of this form of the Peace;

His Majesty the Emperor of Austria and King of Hungary having on the other side recognized the difficulties which present themselves to the carrying out the principles laid down in that Article;

His Majesty the Emperor of Austria and King of Hungary having finally been graciously pleased to give a proof of his wish to tighten still more the bonds of friendship which exist between the two Powers;

The High Contracting Parties have unanimously recognized the necessity of allowing a revision of the above-named Article to take place;

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[1] Martens, *N. R. G.*, 2d series, vol. 3, p. 529. From the *Reichsanzeiger* of February 4, 1879. Translation from *Brit. St. Pap.*, vol. 69, p. 773.

Se. Majestät der deutsche Kaiser und König von Preussen und Se. Majestät der Kaiser von Oesterreich und König von Ungarn haben zu diesem Zwecke zu Ihren Vertretern ernannt:

Se. Majestät der Deutsche Kaiser und König von Preussen den Prinzen Heinrich VII. Reuss, Allerhöchst Ihren Botschafter und General-Adjutanten etc.

Se. Majestät der Kaiser von Oesterreich und König von Ungarn:

den Grafen Julius Andrassy von Czik-Szent-Kiraly und Kraszna-Horka, Allerhöchst Ihren Minister des kaiserlichen Hauses und des Aeussern etc.,

welche nach Vorlegung ihrer in guter und richtiger Form befundenen Vollmachten über nachstehende Artikel sich vereiniget haben.

Artikel I. Die in dem zwischen Sr. Majestät dem König von Preussen und Sr. Majestät dem Kaiser von Oesterreich, König von Böhmen und Apostolischen König von Ungarn, am 23. August 1866 zu Prag abgeschlossenen Friedensvertrage niedergelegte Vereinbarung, wonach der Uebertragung der Sr. Majestät dem Kaiser von Oesterreich durch den Wiener Friedensvertrag vom 30. Oktober 1864 erworbenen Rechte auf die Herzogthümer Holstein und Schleswig an Se. Majestät den König von Preussen eine Modalität hinzugefügt ist, wird hiedurch aufgehoben, so dass die Worte im Art. V des genannten Vertrages vom 23. August 1866:

"mit der Massgabe, dass die Be-

His Majesty the German Emperor and King of Prussia and His Majesty the Emperor of Austria and King of Hungary have appointed as their Representatives for this purpose:

For His Majesty the German Emperor and King of Prussia, the Prince Henry VII of Reuss, His Majesty's Ambassador and General-Adjutant;

For His Majesty the Emperor of Austria and King of Hungary, the Count Julius Andrassy of Csik-Szent-Király and Kraszna-Horka, His Majesty's Minister for the Imperial Household and for Foreign Affairs;

Who, having duly exhibited their full powers in proper form, have agreed to the following Articles: —

Art. I. The Union laid down in the Peace concluded at Prague between his Majesty the Emperor of Germany, King of Prussia, and his Majesty the Emperor of Austria, King of Bohemia and King of Hungary, on the 23rd of August, 1866, by which a form is added to the transfer to His Majesty the King of Prussia of the rights of his Majesty the Emperor of Austria over the Duchies of Holstein and Schleswig acquired by the Vienna Treaty of Peace of October 30, 1864,[1] is hereby cancelled, so that the words in Article V of the above-named Treaty of the 23rd August, 1876: —" With the condition that the population of the northern districts of Schleswig shall be ceded to Denmark

> völkerungen der nördlichen Distrikte von Schleswig, wenn sie durch freie Abstimmung den Wunsch zu erkennen geben, mit Dänemark vereinigt zu werden, an Dänemark abgetreten werden sollen."

ausser Gültigkeit gesetzt werden.

Artikel II. Die Ratifikationen des gegenwärtigen Vertrages sollen zu Wien binnen einer Frist von drei Monaten oder wenn möglich früher ausgewechselt werden.

Zu Urkund dessen haben die Bevollmächtigten gegenwärtigen Vertrag unterzeichnet und mit dem Insiegel ihrer Wappen versehen.

*Seigeschehen in Wien, am* 11. *Oktober* 1878.

H. VII. Reuss,
Andrassy.

if by a free vote they express a wish to be united to Denmark," shall be annulled.

II. The ratifications of the present Treaty shall be exchanged at Vienna within a period of three months, or sooner if possible.

In witness whereof the Plenipotentiaries have signed the present treaty, and sealed it with the seal of their arms.

*Done at Vienna on the* 11*th October*, 1878.

H. VII Reuss.
Andrassy.

# THE ISLANDS OF ST. THOMAS AND ST. JOHN, WEST INDIES, 1868

*Extracts from Correspondence Concerning the Proposed Cession of the Islands of St. Thomas and St. John by Denmark to the United States, July* 17, 1866–*October* 24, 1867 [1]

### MR. SEWARD TO MR. RAASLOFF

(Confidential)

*Department of State,*
*Washington, July* 17, 1866.

Sir: I have the honor to propose to you that the United States will negotiate with the King of Denmark for the purchase of the Danish islands in the West Indies, namely, St. Thomas and the adjacent islets, Santa Cruz and St. John.

The United States would be willing to pay for the same five millions of dollars in gold, payable in this country. Negotiation to be by treaty, which, you will of course understand, will require the constitutional ratification of the Senate.

Insomuch as you propose to visit Copenhagen, the United States minister at that place will be instructed to converse with you or with your Government on the subject; but should your Government conclude to negotiate, the proceeding will be expected to be conducted here and not elsewhere.

Accept, sir, the renewed assurance of my high consideration.

William H. Seward.

His Excellency, General Raasloff, etc.

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### MR. YEAMAN TO MR. SEWARD

(Confidential)

*Legation of the United States,*
No. 67.) *Copenhagen, May* 17, 1867.

Sir: This morning I received a note from General Raasloff, informing me that Count Frijs desired to see me this evening. At the appointed time I was received by the count at his house, General Raasloff being present.

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[1] United States, *Compilation of Reports of Senate Committee on Foreign Relations, 1789–1901* (Senate Document No. 231, pt. 8, 56th Congress, 2d session), vol. 8, pp. 162–198.

The object of the interview was to acquaint me with the conclusions of the Danish Government upon the subject of your confidential proposition to General Raasloff of July last.

The count informed me that your offer had been promptly communicated to the Danish Government, and had been repeatedly and duly considered; that the Government had uniformly been, and were still, of the opinion that the terms offered could not be accepted; and that the Government had concluded to comply with what they supposed to be your desire, that they should make a counter proposition. He said they would cede the group of three islands to the United States for $15,000,000; or, in the alternative, the two islands of St. Thomas and St. John for $10,000,000, and Santa Cruz for $5,000,000, with the option of taking the two former and rejecting the latter; that as to Santa Cruz, the Government could not sell without the consent of France; and he was of the opinion that if there was any difficulty on that point, so that it could not be ceded to the United States, it would not be sold to France but be kept by Denmark; that the ratification by the Rigsdag of such a cession is constitutionally necessary; and, after that, the Danish Government will require that the consent of the people of the islands shall be had.

. . . . . . . . . . . .

I am, sir, very respectfully, your obedient servant,

Geo. H. Yeaman.

Hon. Wm. H. Seward,
Secretary of State, Washington.

### MR. SEWARD TO MR. YEAMAN

No. 38.)

*Department of State,*
*Washington, May 27*, 1867.

Sir: By the telegram in cipher of this Department of the 23d instant, which Mr. Adams was directed to forward to you in writing from London, you were informed of the terms and conditions upon which the United States would accept a cession of the Danish West India Islands. If by the time that this instruction shall reach you the Danish Government shall be prepared to accept those terms and conditions, the accompanying full power will enable you to enter upon and conclude the negotiations of a convention upon the subject. A draft of a convention is also transmitted. It is expected that in the instrument as ultimately signed there will be no material variation from this draft.

The cession must include all the islands owned by Denmark in the quarter referred to. The sum to be paid therefor by the United States must not exceed $7,500,000 in gold.

The convention must be signed and ratified on behalf of Denmark on or before the 4th of August next. These terms and conditions are indispensable. If they should be refused by Denmark you will declare the negotiation at an end.

It is not believed that the consent of the people of the islands is necessary. You will notice that provision is made in the draft for the withdrawal of any of the inhabitants of the islands. If they choose to remain there they may either become citizens of the United States, or, if they should prefer not to forswear their natural allegiance, they may stay and will enjoy that protection which is by treaty stipulated in behalf of Danish subjects elsewhere in the United States and which they might also claim pursuant to public law.

. . . . . . . . . . . .

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George H. Yeaman, Esq., etc., Copenhagen.

### DRAFT OF THE TREATY ACCOMPANYING THE ABOVE

The United States of America and His Majesty the King of Denmark, being desirous of confirming the good understanding which exists between them, have for that purpose appointed as plenipotentiaries the President of the United States, George H. Yeaman, accredited as their minister resident to his said Majesty, and His Majesty the King of Denmark.

And the said plenipotentiaries having exchanged their full powers, which are found to be in due form, have agreed upon and signed the following articles:

### ARTICLE I

His Majesty the King of Denmark agrees to cede to the United States by this convention all the Danish West India Islands, namely, the island of St. Thomas, the island of Santa Cruz, and the island of St. John.

### ARTICLE II

In the cession of territory and dominion made by the preceding articles are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property.

Any Government archives, papers, and documents relative to the territory and dominion aforesaid which may be now existing there shall be left in the possession of the agent of the United States, but an authenticated copy of such of them as may be required will be at all times given by the United

States to the Danish Government, or to such Danish officers or subjects as may apply for them.

### ARTICLE III

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Denmark within two years, but if they should prefer to remain in the ceded territory they shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the full enjoyment of their liberty, property, and religion. . . .

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## MR. YEAMAN TO COUNT FRIJS [1]

(Confidential)

*Legation of the United States,*
*Copenhagen, May* 28, 1867.

SIR: Calling your excellency's attention to our interview on the 17th day of this month touching the proposal heretofore made by the Government of the United States to the Government of His Majesty to negotiate for the cession of the Danish West India islands, I have the honor to inform you that on the same day I forwarded a suitable telegraphic dispatch to the Secretary of State of the United States, advising him of the substance of the terms you had indicated, and also on the same day forwarded to him a dispatch in writing, giving detailed account of our interview and of the proposals which you did me the honor to authorize and request me to submit to the consideration of my Government.

And I have now the honor to inform you that I am to-day in receipt of a telegram advising me of the terms upon which my Government will negotiate and that full power and instructions have been forwarded to me by mail from Washington to enable me to carry into effect the negotiation if the proposals meet with the approbation of His Majesty's Government.

I therefore deem it proper and best to advise you, in advance of the reception of my formal power and instructions, of the definite terms upon which my Government expresses its willingness to effect the negotiation.

It proposes to pay for the three islands, St. Thomas, St. John, and Santa Cruz, $7,500,000 in United States gold coin; the treaty to be signed here and ratified by Denmark absolutely before the 4th day of August next or the negotiation will end.

Consent is not given to await or depend upon a ratification by vote of the people of the islands.

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[1] U. S. Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess., pp. 172–73.

The treaty is to be constitutionally ratified by the President and the Senate before next May, and the ratifications are to be exchanged at Washington.

The public property, civil and military, to be ceded with the islands, and private property to be protected in the possession of the owner. The inhabitants reserve their allegiance, and have, during two years, the right of electing their nationality, those who remain after two years to be citizens of the United States, under the Constitution and laws thereof.

The Government of the United States reserves the right to withdraw its proposition and end the negotiation at any time before notice is received of its ratification by Denmark.

I have expressed these points as fully as I am able to do from the condensed preliminary instructions which I have so far received, and I deem it proper to add that they are expressed to me in the form of final propositions. If anything further and material for the consideration of His Majesty's Government is observed in my more detailed instructions, it shall be promptly communicated when they are received. My present object is, to put in a definite form, and at the earliest practicable moment, before His Majesty's Government, the main features of agreement which my own Government proposes shall be embraced in the treaty.

I avail myself of this occasion to offer to your excellency the renewed assurances of my profound consideration.

GEO. H. YEAMAN.

HIS EXCELLENCY COUNT FRIJS,
*Minister of Foreign Affairs and President of the Council, Copenhagen.*

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### MR. YEAMAN TO MR. SEWARD

No. 75.)
*Legation of the United States,*
*Copenhagen, June* 17, 1867.

SIR: I have the honor to inform you that, at the request and appointment of Count Frijs, I had an interview with him yesterday upon the subject of my confidential note to him of the 28th of May. The interview was official, and General Raasloff was present. His Excellency proceeded to acquaint me with the conclusion of His Majesty's Government upon the several points of my note, based upon your telegraphic dispatch conveying to me your instructions for the conduct of the negotiation.

First, he explained that the offer of seven and a half millions for the three islands could not be accepted and was declined. At the same time he regretted the present inability of the two Governments to agree upon the terms of the negotiation, and expressed the willingness of his own Government further to entertain the matter, and to consider whether a mutually satisfactory understanding could not be arrived at, and added that the Danish Government would accept seven and a half millions for the two islands of St. Thomas and St. John, and half that sum for Santa Cruz, the two offers being distinct and independent and might be accepted or rejected severally, each as an entire proposition, and if both are accepted, the negotiations and treaties to be separate, the cession of Santa Cruz depending upon the consent of France, for reasons heretofore explained to me and which I have conveyed to the Department.

Next he observed that the Danish Government could not accede to the proposition that it must ratify absolutely before the 4th of August.

They were willing to be bound equally with the United States to exchange ratifications within a given time, and would on their part exert themselves to obtain a ratification here as soon as it could be conveniently done.

But for Denmark to be bound by a ratified treaty from August until May, and the United States to be at liberty to ratify or not until May, he thought was not equal. Ratification, he remarked, was a thing to be done by each Government in its own time and in its own way, only being bound to exchange ratifications within a given time.

In this connection he also observed that the reservation by the United States of the right to withdraw the proposition at any time and end the negotiation before notice was received that Denmark had ratified was not equal and reciprocal unless Denmark had the same right; that every step in a negotiation ought to be equally binding upon both parties, and further observed that in any view it was an unusual and might be a very inconvenient position; and put the case of a treaty duly signed by the authorized agents of the two Governments, and that Denmark should promptly and in good faith seek to have it ratified in the usual forms, but before it was possible to do so and give notice the United States should withdraw and break off the negotiation. He then reminded me in a courteous way, and in proper and delicate terms, that Denmark had not sought to sell the islands, but that we were seeking to buy, and distinctly affirmed that any negotiation in regard to the matter must be conducted upon terms of perfect equality and reciprocity, and he could not think that the terms offered were of that character.

Finally, as to the consent of the people of the islands, he expressed the conviction of himself and his Government that it could not be dispensed with.

He thought no difficulty or obstruction would result from it, and said there should be no unnecessary delay in taking the sense of the people. But there were two reasons why, upon mature reflection, the Government could not dispense with it. The modern custom in Europe upon that subject was so uniform as to amount almost to a rule of public law, and any departure from it would attract marked attention and comment if not discontent. In addition to this the people and the Government of Denmark were just at this moment intensely interested in the subject of a vote of the people of North Schleswig, under a provision of the treaty of Prague, to determine for themselves their final and permanent relations with Denmark, and that though the two cases were not similar in their facts they were similar in the importance supposed properly to belong to an expression of their wishes by the people of any district and country upon the question of dissolving their former political relations and ties and assuming or passing under new ones; and that Denmark might find it an impediment, or at least an unpleasant attitude before the public, to alienate one province without the consent of the people, while naturally and so justly desirous that the people of another district should proceed to give an expression of their preferences, and while hoping for such happy results from that expression.

I told him I would take pains to communicate the substance of his remarks to my Government, but that now my instructions required me to announce to him that the offer was withdrawn and the negotiation ended, which I did in the exact words of your instructions, and asked him to accept this verbal declaration as having all the effect of a formal note for that purpose, to which he acceded.

I am, sir, very respectfully, your obedient servant,

George H. Yeaman.

Hon. William H. Seward,
Secretary of State, Washington.

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### MR. YEAMAN TO MR. SEWARD

No. 81.)

*Legation of the United States,*
*Copenhagen, July* 12, 1867.

Sir: On Saturday, the 6th instant, I received from Mr. Adams a note of the 3d, inclosing me without date your telegram, as follows: "Tell Yeaman close with Denmark's offer. St. John, St. Thomas, eight and a half millions; report brief, quick, by cable; send treaty ratified immediately."

Taking the word "eight" as a mistake occurring somewhere in the reduction, transmission, or translation of the message, I immediately sought an interview with Count Frijs and General Raasloff to accept the offer of the islands at seven millions and a half, and communicated verbally with the General whom I found first and who was just going to see the count by appointment. I offered to negotiate the treaty as soon as possible, with the view of obtaining a ratification during the present session of the Rigsdag, which was then to adjourn in a few days, and I urged very earnestly that the vote in the islands should be dispensed with.

. . . . . . . . . . . . . .

. . . They[1] seem to think the affair practically settled; at least that all difficulties are out of the way except the vote of the people of the islands. Upon this subject I have lost no opportunity to impress upon them, in the most earnest and explicit manner, the very great preference of myself and my Government that the cession shall be absolute, and not subject to any further conditions; and that it can not be in accordance with the interests or the feelings of either Government that the matter should fail after a treaty has been signed, and that nothing should be done that would invite or present an opportunity for the interference and counter influence in the islands of those three great powers which would much rather see the matter fail than succeed; and I have indicated that I am not instructed or authorized to agree to such a proposal, and that for me to venture to do so might jeopard the treaty at Washington as well as in the islands.

To this it is replied that there is no real danger of failure; that but little time or opportunity will be allowed for foreign interference or influence upon the election; that ratification by the Rigsdag will be much more sure and easy if the treaty is first voted for by the islands; and the effect of a contrary course, upon the Schleswig question, as heretofore urged, and as stated in my dispatch No. 75, of 17th June, is now repeated with increased earnestness and emphasis.

My opinion is, that this latter consideration is the only real difficulty in the way, and I have to admit to you my appreciation of its force from the Danish standpoint.

They speak very frankly about the matter, and have indicated that it is possible that the cabinet may be brought to waive the vote, but have not given me any substantial reason to hope that it will be, and my opinion is it will not be given up.

This leaves me in great embarrassment. I have telegraphed you through Mr. Adams for instructions, because I deem it probable, from present appearances, that the negotiation will be delayed long enough for me to get an answer.

But I have resolved that if, without further instructions, it comes to be a question of taking the treaty with a vote or not at all, I will yield, it being the only chance left for present success, and the influence of future European complications upon the matter can neither be foreseen nor trusted. I will press my objections as far as can well be done this side the point of breaking the negotiation.

As a matter of construction, your direction to waive the August ratification, being sent, as I take it, after the reception of my dispatch of the 17th June, instead of excluding this, by mentioning one waiver and omitting others, might be held as an instruction upon what was deemed the only matter then left open and in the way, seeing from that dispatch that Denmark refused to negotiate except on the basis of a vote. Especially would this view be correct, taking a waiver of immediate ratification, which would, if adhered to, make a vote impossible in connection with your former consent, that Denmark might take the vote before, not after, ratification.

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[1] *i. e.*, Count Frijs and General Raasloff.

But I have constantly preferred to avoid the vote altogether, if it could be done, and if it can not, I prefer directions as to construction and responsibility.

If the point has to be yielded in order to get a treaty, and if Denmark intends to make her ultimate ratification or exchange depend on the result of the vote, which seems probable, then it would appear immaterial whether the vote were stipulated for in the treaty or not. But I shall insist on keeping it out, and leaving it a thing to be done by Denmark of her own option, which might be better in view of ulterior questions that might arise between the two governments, or with Denmark, as to her real power over the cession in the event of irregularity, improper conduct, or a doubtful result, and as being also more in harmony with your first telegraphic instructions of the 21st May, received here on the 28th.

I shall also insist that in determining the capacity for voting upon the question, all foreigners domiciled in the island merely for business purposes shall be excluded, and that all native-born subjects of Denmark shall vote. I would do this, because the votes of the colored freed people would probably make the result more certain in our favor, and because it would better comport with the position that class of men would occupy as citizens of the United States after annexation.

I understand, but am not quite sure, that they predominate in numbers, and have not heretofore voted in the local and municipal government of the island.

. . . . . . . . . . . .

I am, sir, very respectfully, your obedient servant,

George H. Yeaman.

Hon. William H. Seward,
Secretary of State, Washington.

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### MR. YEAMAN TO MR. SEWARD

No. 84.)

*Legation of the United States,*
*Copenhagen, July* 22, 1867.

Sir: On the 20th instant I received from the legation at London a note of the 17th, inclosing me your last telegram, as follows:

"Do not agree to submit question; Congress soon adjourns."

and I have taken steps to obtain another interview with Count Frijs and General Raasloff, who are at present out of town.

Since my dispatch, No. 81, of the 12th instant, by appointment of the minister of foreign affairs, I met him and the general on Wednesday, the 17th. At that conference I communicated my readiness to waive the demand for a ratification in August, and it was then verbally agreed that all the material differences and questions were disposed of, except that of a vote in the islands.

This matter was discussed at length and in detail, as to whether it should be done at all; if so, whether it should be provided for in the treaty, and what classes of men should vote. I insisted upon all the views affecting this subject expressed in my dispatch No. 81, and in addition some others touching the general merits of such a proceeding and its effects upon the attitude of Denmark in the negotiation, her ultimate power over the subject, and the temptations to outside intrigue and interference. I do not think I am mistaken in the opinion that these observations had some good effect; still the position was not abandoned.

The meeting was adjourned with the understanding that we should have another interview this week, and that in the meantime they should consider whether the Danish cabinet could find it possible to dispense with this condition; and if not, that they should submit to me the definite form in which they would propose to put it, with the view of enabling me to determine whether I could in any event accept it, which I did not intimate would ever be done. I was distinctly assured that they would not insist upon it except for the supposed bad effect of a contrary course upon the Schleswig negotiation and question.

They seemed to appreciate the observation I urged, outside of its relations to that question, against putting such a clause in the treaty, but observed that on the other hand the Government would hesitate, if the vote must be taken, to put itself in the attitude of negotiating a treaty positively and then making its ratification depend upon a condition or event not provided for in the treaty.

This is a point that certainly demands their careful consideration; and its suggestion leads me to hope that if they will now treat with the vote excluded, they may abandon the idea of taking it independently of the treaty.

I conclude that the course now before me is to propose at the next interview to negotiate the treaty unconditionally. This will leave it for them to consider whether the Danish Government shall take the vote of its own motion and for its own information. I very earnestly hope, and have good reason to think, that this will not break the negotiation; yet it is possible that it may, or at least suspend it until the Schleswig question takes a more definite and hopeful form.

There is a delay in the progress of the negotiation which I had not expected, and which does not seem to me to be entirely necessary; but I do not think it is induced by any uncandid design or intention. I have supposed it possible that they would delay it as much as could be made to appear legitimate, with the hope that in the meantime their other foreign relations would take such a turn as would enable them promptly to abandon the idea of a vote.

I am, sir, very respectfully, your obedient servant,

George H. Yeaman.

Hon. William H. Seward,
Secretary of State, Washington.

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### MR. YEAMAN TO MR. SEWARD

(Extract)

No. 92.)

*Legation of the United States,*
*Copenhagen, August* 17, 1867.

Sir: Last Saturday, the 10th instant, at an interview appointed by Count Frijs, he expressed his preference that, without agreeing in the treaty to submit the question of cession to a vote of the people of the islands in such form as to make the vote decisive as a condition, yet to allude to it in such manner as to show the fact of the intention of the Government of Denmark to take the vote.

I declined to agree to this, upon the ground that any such reference or statement in the treaty might be construed as an agreement to submit. He thought it could be so worded as to avoid that construction, and very much prefers its insertion for political and diplomatic reasons, and asked me if I would take it *ad referendum.* I agreed to do so, but again urged the necessity of so conducting the negotiation as to have all things accomplished and the treaty ready for submission at both capitals in December, and that, for the sake of certainty and dispatch, I would much prefer to have, as nearly as possible, the exact form of words in which he would propose to insert it, so that I could submit a definite question. He then proposed to have that ready by next Saturday (to-day).

. . . . . . . . . . . .

General Raasloff informs me that he has recently conversed with an officer from St. Thomas, and learns from him, without in any way indicating the negotiation, that the people are discussing the subject of annexation, and are very well inclined to it, and that indeed the most of them look upon it as a foregone conclusion.

In view of the fact that this Government will probably order the vote to be taken, I would be obliged for your opinion of the views I expressed in my No. 81, of 12th of July, last paragraph, in relation to who shall vote.

. . . . . . . . . . . .

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. William H. Seward,
Secretary of State, Washington.

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### MR. YEAMAN TO MR. SEWARD

(Extract)

No. 104.) *Legation of the United States,*
*Copenhagen, September* 27, 1867.

SIR:

. . . . . . . . . . . .

The Danish negotiators insist upon inserting in the convention a clause to the following effect: "It is, however, understood and agreed that His Majesty the King of Denmark, before proceeding to the ratification of this convention, reserves to himself to give to the native population of the above-named islands an opportunity of expressing their adhesion to his cession" (or, their wishes in regard to this cession). They consider this as an invitation to the people to affirm the cession, and not as a condition precedent, or a negative power, over the subject. They deem it a proper deference to modern European custom, and necessary in the present attitude of their other foreign relations. I am not able to express any decided opinion whether the negotiation can be concluded without it. I have urged against it every possible argument and consideration, and so far without avail.

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I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

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### MR. YEAMAN TO MR. SEWARD

No. 106.) *Legation of the United States,*
*Copenhagen, October* 1, 1867.

SIR: I have the honor herewith to inclose a confidential note of this date, just received from General Raasloff which speaks for itself. His suggestion is interesting in itself and in its relations to the negotiation. He, of course, understands that the United States will not send an agent to take any official part in conducting the election; but for suggestion and friendly influence and cooperation the measure would be beneficial.

. . . . . . . . . . . .

I am, sir, very respectfully, your obedient servant,

George H. Yeaman.

Hon. William H. Seward,
Secretary of State, Washington.

[Inclosure]

*Hellebeck, October* 1, 1867.

My Dear Sir: I shall send you this note the moment I arrive in town, which will be a little after 2 p. m.

I feel confident that we shall be able to sign the convention in a week or so (if we can agree, which I hope), and that a commissioner will then be sent immediately from here to the West Indies. Let me, therefore, suggest to you that you write by this mail and request Mr. Seward to cause ships of war to be sent at once to the same place, and an agent or agents properly provided with instructions and all that may be useful to assist the Danish commissioner in his work, and to do whatever else circumstances may require.

I think it is necessary that this should be done at once, because, once the convention signed here, time will be scarce and action must be had without delay.

. . . . . . . . . . . .

Very truly yours,

W. Raasloff.

His Excellency Hon. George H. Yeaman,
Minister Resident United States, Copenhagen.

### MR. YEAMAN TO MR. SEWARD

No. 107.)

*Legation of the United States,*
*Copenhagen, October* 3, 1867.

Sir: Yesterday, at the request of Count Frijs, I had another interview with him in regard to the pending negotiation. He assured me that he very much desires the accomplishment of the cession; that he fully appreciates its importance to the United States, its financial advantages to Denmark and its political advantages in cementing the friendship between the United States and Denmark, and which he thought material. But he observed that the most important and vital question now pending in the foreign relations of Denmark was that concerning the retrocession of the Danish or north portions of

Schleswig by a fair execution of the fifth article of the treaty of Prague; and that however great to Denmark might be the advantage of a cession of the Danish West Indies, it could not possibly outweigh the disadvantages that would result from doing anything that would injure the position of Denmark in the Schleswig affair by weakening her claim to vote in Schleswig, or by lessening the moral force of a popular expression. For these reasons he found it necessary not only to ask the approbation of the people of the islands, but also equally necessary that their consent or approval should be referred to in the treaty, though not agreed upon as a condition precedent. It is to be, in his language, "unilateral," but he regards it as so indispensable that he can not advise the King to make a treaty without it. General Raasloff would yield the point, and has exerted himself to have it yielded by the count, but he seems immovable. I have no doubt of his sincerity, both in desiring to make the cession and in thinking the vote necessary in the present attitude of the relations between Denmark and Prussia.

I have constantly opposed this vote, giving what I thought good reasons for my opposition, especially as to the insertion in the treaty. But I am convinced, by information from the islands, and the tendency of public sentiment here, that the annexation would be voted willingly and by a very large majority. And whether the people would vote thus or not, the point now is — and this is the only way to get the islands — and we had better get them that way than not at all — had we better risk an unfavorable vote than to refuse to negotiate on account of the vote. I am sure you will not deem it amiss in me to express my opinion thus freely. Yesterday I sent you by cable the following telegram in cipher:

"Denmark quite ready to conclude, if vote mentioned in treaty. Considers favorable vote sure. Desire explicit acceptance of Santa Cruz."

. . . . . . . . . . . .

I am, sir, very respectfully, your obedient servant,

George H. Yeaman.

Hon. William H. Seward,
Secretary of State.

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### MR. YEAMAN TO MR. SEWARD

(Extract)

No. 108.)

*Legation of the United States,*
*Copenhagen, October* 7, 1867.

Sir: . . . Saturday, the 5th instant, I received from you a telegram, which I translate as follows:

"No condition of vote in treaty. If Denmark wants to negotiate for Santa Cruz by separate treaty, send draft here for consideration."

Upon the receipt of this I promptly advised Count Frijs and General Raasloff that I proposed at once to close the treaty by inserting a clause simply stating the fact that the King would afford the people an opportunity of freely expressing their approbation of the cession.

After my dispatch 107, of the 3d, and my hasty private notes of 3d and 4th instant, inclosing note from General Raasloff, I learned that the interviews of the French minister had assumed a more serious aspect, and that Count Frijs was really astonished that the British and Spanish ministers had not approached him, and expected their remonstrances daily. I then sent you the following telegram in cipher:

"France knows our offer, and remonstrates. Denmark expects other remonstrances. Prompt action desirable. Vote in treaty indispensable."

. . . . . . . . . . . .

I am, very respectfully, your obedient servant,

George H. Yeaman.

Hon. William H. Seward,
Secretary of State.

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MR. SEWARD TO MR. YEAMAN

No. 66.)

*Department of State,*
*Washington, October* 24, 1867.

Sir: I recur to your dispatch No. 106, and to your two letters of the 3d and 4th instant, which have also been received.

Each of the letters is accompanied by a private and sealed communication, addressed by General Raasloff to myself. The burden of the several papers thus received is that my early instructions declining a stipulation to submit to the people of the two islands the question whether they shall be transferred to the United States constitutes a serious and insurmounable barrier to the negotiation on the part of Denmark.

On the 5th of October, one day after the latest date in these communications from Copenhagen, I instructed you by telegraph to waive the objection referred to and consent that a popular vote be taken in the islands at the instance of Denmark.

I have this day reiterated that instruction by telegraph, and have asked you to report progress. It is very desirable that the treaty, if one is concluded, should be submitted to the Senate as early as possible, to the end that if it be ratified, as I trust it will be, Congress may in that case be immediately invited to pass the laws which the transfer of the islands by treaty will have rendered not only necessary but urgent.

I am, sir, your obedient servant,

William H. Seward.

George H. Yeaman, Esq., etc.,
Copenhagen.

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## *Uncompleted Treaty Between the United States of America and His Majesty the King of Denmark Concerning the Cession of the Islands of St. Thomas and St. John. Signed at Copenhagen on October* 24, 1867 [1]

The United States of America and His Majesty the King of Denmark being desirous of confirming the good understanding which exists between them, have for that purpose appointed as Plenipotentiaries, The President of the United States, George H. Yeaman, accredited as their Minister Resident to his said Majesty; and His Majesty the King of Denmark, Count Christian Emil Juel-Vind-Frijs, President of the Council of the Ministers and Minister for Foreign Affairs, Grand Cross of the Order of Danebrog, and decorated with the Cross of Honor of the same Order. And the said Plenipotentiaries having exchanged their full powers, which were found to be in due form, have agreed upon and signed the following articles:

### ARTICLE I

His Majesty the King of Denmark agrees to cede to the United States by this Convention immediately upon the exchange of the ratifications thereof, the islands of St. Thomas and St. John, in the West Indies, with the adjacent islands and rocks, situated north of the 18th degree of north latitude.

His Majesty the King of Denmark will, however, not exercise any constraint over the people, and will, therefore, so soon as practicable, give them an opportunity of freely expressing their wishes in regard to this cession.

. . . . . . . . . . . .

### ARTICLE III

The inhabitants of the said islands shall be protected in their liberty, their property, and private rights, and they shall be free to remain where they now reside, or to remove at any time, retaining the property which they possess in the said islands, or disposing thereof and removing the proceeds wherever they please, without their being subjected on this account to any contribution, tax, or charge whatever. Those who shall prefer to remain in the said islands, may either retain the title and the rights of their natural allegiance, or acquire those of citizens of the United States. But they shall make their election within two years from the date of the exchange of ratifications of this convention; and those who shall remain in the said islands after the expiration of that term, without having declared their intention to retain their natural allegiance, shall be considered to have elected to become citizens of the United States.

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[1] From the official copy, U. S. Senate.

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## ARTICLE V

In consideration of the cession aforesaid, the United States agree to pay, at the treasury in Washington, within three months after the exchange of the ratifications of this convention, to the diplomatic representative or other agent of His Majesty the King of Denmark, duly authorized to receive the same, seven millions five hundred thousand dollars, in gold.

The cession conveys to the United States the said islands and appurtenances in full and entire sovereignty, with all the dominion, rights and powers which Denmark now possess and can exercise in them, free and unincumbered by any grants, conditions, privileges or franchises in any way affecting or limiting the exercise of such sovereignty.

## ARTICLE VI

When this convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate on the one part, and on the other by His Majesty the King of Denmark by and with the consent of the Rigsdag, the ratifications shall be exchanged at Washington, within four months from the date hereof or sooner if possible.

In faith whereof the respective Plenipotentiaries have signed this convention and thereto affixed the seals of their arms.

Done at Copenhagen, the 24th of October, in the year of our Lord one thousand eight hundred and sixty-seven.

GEO. H. YEAMAN, (L.S.)
C. E. JUEL-VIND-FRIJS, (L.S.)

## *Extracts from Correspondence between Secretary Seward and the United States Agents in the Islands, October 26–December* 4, 1867 [1]

### MR. SEWARD TO MR. HAWLEY

*Department of State,*
*Washington, October* 26, 1867.

SIR: This Government has concluded a treaty with Denmark for a cession of the islands of St. Thomas and St. John in the Caribbean Sea, belonging to that power. The treaty has not been received here, but it is understood that it contains a stipulation that before the cession shall be absolute the vote of the people of the islands shall be taken upon the proposed change of sovereignty. It is also understood that the Danish Government has sent a commission for the purpose of superintending the taking of that vote. As it is desirable that this Government also should not be entirely without the attendance of a representative there, you are requested to proceed to St. Thomas. You will, however, consider your attendance there as of a character entirely confidential. But this direction will not be construed so literally as to prevent you coming into useful communication with the Danish authorities and any consuls or naval representatives of the United States.

I herewith hand to you extracts of a dispatch written by the United States minister at Copenhagen, which very distinctly indicate the manner in which it is supposed that your agency can be made useful and effective. You are at liberty also to present yourself to the Danish commissioner, whom you will meet at St. Thomas, and you will show him this instruction and also the extracts of Mr. Yeaman's dispatch. In all things you will practice the utmost frankness with him and absolute deference to his judgment and opinions.

It is expected that you will meet Rear-Admiral Palmer, of the United States Navy, with the ship of war *Susquehannah,* at St. Thomas, who will have instructions similar to your own to cooperate with the Danish commissioner.

It is presumed that you will be at no loss for arguments to show those who may have votes upon the subject the advantages which they would derive from transferring their allegiance to the United States, should they think proper to remain in the islands. The market of this country, even now, is an eligible one for their products. It must become much more so in the event of their annexation. As one of the purposes of this Government in the acquisition is to secure a naval station, the inhabitants of the islands will derive benefits from that, which it is needless to expatiate upon. If, too, they should become a part of the domain of the United States, they and their posterity will have the same right to protection by a powerful government in war and to those advantages in time of peace which are enjoyed by other citizens.

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[1] U. S. Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess., pp. 198–210.

It is not expected that you will stay in the islands longer than may be necessary after the vote referred to shall have been taken. The Department will expect reports from you during your sojourn there.

. . . . . . . . . . . .

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Rev. Charles Hawley,
Auburn, N. Y.

### MR. HAWLEY TO MR. SEWARD

No. 1.) *St. Thomas, Danish West Indies,*
*November* 13, 1867.

SIR: I beg leave to inform you of my arrival at this island, in company with Mr. Perkins, on the 12th instant.

Mr. Moore, who preceded us by some two days, has, for prudential reasons, already communicated with Mr. Simmons, United States vice-consul, on the object of our mission, with which he is in full sympathy.

A dispatch by way of Porto Rico to the effect that the United States had purchased the Danish Islands for the sum of $15,000,000 reached here on the morning of our arrival, creating considerable excitement.

The rumor serves as the occasion of a free expression of opinion and gives rise to the question, "Will the United States continue St. Thomas a free port?"

If the merchants and others connected with the business relations of the island could be assured that there would be no change in this regard, and that their trade with the other islands would be maintained with its present advantages, the formidable objection to the transfer would be obviated. The whole issue, as they contemplate it, resolves itself into a question of trade, as the entire commerce of the island is built upon the freedom of the port.

If the decision is to be submitted to a popular vote there can hardly be a doubt that the result will be in favor of annexation.

We, of course, are not known as having any information on the subject, awaiting the arrival of the Danish commissioner, who is expected on the 16th instant.

The town has suffered considerable damage from the hurricane of the 29th ultimo, but the damage is being rapidly repaired.

With great respect, I remain your obedient servant,

CHARLES HAWLEY.

Hon. William H. Seward,
Secretary of State.

### MR. HAWLEY TO MR. SEWARD

No. 2.) *Fredericksted, St. Croix, West Indies,*
*November* 22, 1867.

Sir: I have the honor to report the arrival of the Danish commissioner, Chamberlain Carstensen, at St. Thomas, on the morning of the 17th instant. Mr. Perkins and myself waited on him without delay, and ascertained that it was his desire to proceed immediately to Christiansted, St. Croix, for consultation with the governor, and that we should accompany him.

Commodore Bissell, of the *Monongahela,* placed his vessel at the service of the commission, and we arrived at this place on the evening of the 17th instant, and proceeded next morning to Christiansted.

An interview was arranged for at 3 o'clock p. m., and while in the reception room of the government house a violent shock of an earthquake drove us from the building in confused haste and threw us into a scene of indescribable terror.

. . . . . . . . . . . .

Admiral Palmer, who came with the *Susquehanna* from St. Thomas on the morning of Wednesday, brings tidings of a similar disaster there, inflicting great damage to the town and injury to the shipping. This calamity, following so speedily the hurricane of the 29th ultimo, is a serious embarrassment to our mission, as it must, for a time at least, preoccupy public attention. It has already frustrated our hopes of a speedy arrangement of preliminaries, and left us in a state of uncertainty of what under the circumstances should be done.

I may, however, communicate the result of several informal conversations with Mr. Carstensen, who is quite frank and unreserved in the expression of his views. He is unwilling to order an election until reasonably assured that the vote will be favorable. Rather than hazard a failure he would prefer a postponement of any further measures here until such modifications can be secured in the treaty which will dispose of the present contingency.

He has received the same impression that forced itself upon our attention, as I had the honor to state in my first communication, that the mercantile interest of St. Thomas will be a unit against the transfer, without some assurance from the United States that, for a specified period at least, the present privileges and immunities enjoyed by the port will remain undisturbed. Governor Birch is of the same opinion. Indeed, it must be palpable to every one at all familiar with the present trade of St. Thomas and its resources, to bring it under the restrictions of our revenue laws is to destroy at a blow its commercial importance. The island is without productions — without anything to sell — except what it imports. The entire population is dependent directly or indirectly upon a trade with the other islands, which, from its peculiar position as a point of transit, it can maintain on the one condition that it can receive the goods it sells to Porto Rico, San Domingo, Cuba, etc., free of duties.

So commanding is this interest that I am not without fears it might control the votes of the less intelligent class. A guarantee from the United States that no change would be required in the present status of the port would relieve the whole question of embarrassment; but though urged at this point, both by the governor and commissioner, it is an assurance which, of course, I am not authorized to give. I have said to them that the principal design of the United States in acquiring these islands being the establishment of a naval depot, I had no doubt there would be as little change as possible in these respects, and that our Government would be disposed to a liberal policy toward its new possessions, and retain to them all rights and immunities not in conflict with the common interest, beside the advantage they would have in the protection and privileges which a generous and powerful government accords to all its citizens.

. . . . . . . . . . .

I remain, yours, most respectfully,

Chas. Hawley.

Hon. William H. Seward,
Secretary of State, U. S. A.

### MR. HAWLEY TO MR. SEWARD

No. 3.)

*St. Thomas, Danish West Indies,*
*November* 29, 1867.

Sir: I regret to inform you that no material change has occurred in the situation of affairs since my communication of the —— instant. The daily recurrence of the earthquake, though with abated violence, prevents the return of confidence on this island as at St. Croix, after a lapse of eleven days since the first shock.

We returned to St. Thomas on the 25th instant, in company with Governor Birch and Chamberlain Carstensen, in the United States flagship *Susquehanna*. The next day there was an informal conference with the leading merchants of the Government house, convened by the governor at the request of the commissioner, for a free expression of opinion. Messrs. Perkins, Moore, and myself were present. This conference continued for two hours, from which it appeared that while there was no objection to a transfer of the sovereignty from Denmark to the United States, but on the contrary a general admission that certain advantages would be gained by the change, it was nevertheless deemed vital to the commercial prosperity of St. Thomas that it should continue a free port.

Without the assurance in some form that there would be no change for at least a period of years in this respect, they should be constrained, in the protection of existing interests, to oppose with all the influence they could wield, the proposed cession. But with the assurance that their present privileges would not be disturbed by the change, it would meet with a general and cordial approval.

As we were requested to state what could be expected from the United States Government in this particular, we replied that our instructions did not contemplate this question; that all regulations pertaining to the imposition of duties belonged to Congress; that the exemption desired, if put into the substance of the treaty, might be considered an encroachment upon the province of the legislative department and embarrass its ratification by the Senate. On the other hand, as the object of the United States in the acquisition of the islands respected naval convenience rather than revenue, there would be a strong disposition to deal generously with existing privileges by appropriate legislation; and, moreover, if they would accept the manifest desire of Denmark to cede this territory to the United States and leave their interests with the latter their confidence would not be misplaced.

Much was said about existing laws in the islands, harbor regulations, etc., to which our reply was that it is the policy of the Federal Government not to interfere with the local institutions or laws of States, Territories, or municipalities, and that only such changes, if any, would be expected as experience should determine to be wise and suitable under a liberal government.

The spirit of the conference was good, and generally favorable to the cession, at the same time the freedom of the port was held with unyielding tenacity as the just and reasonable condition of their cordial approval.

. . . . . . . . . . . . . .

I remain, with great respect, your obedient servant,

CHARLES HAWLEY.

Hon. William H. Seward,
Secretary of State

MR. HAWLEY TO MR. SEWARD

No. 4.)

*United States Steamer De Soto,*
*Harbor of St. Thomas,*
*November* 30, 1867.

SIR:

. . . . . . . . . . . . . .

Events and circumstances with which you are made acquainted have determined the Danish commissioner to defer the taking of the vote, in order that he may proceed to Washington, and secure, if possible, such a modification in the articles of convention as will obviate the difficulty which the business interests of St. Thomas so persistently presents to all his movements. He desires, also, to be in immediate communication with Copenhagen. In his view delay is safe, and inasmuch as, in the most favorable circumstances, a month or more must elapse before preparations for the vote could be completed, little or no time will be lost.

Moreover, he sees that an adverse result from any cause would be fatal to the interests of Denmark, not less than to the desire of the United States, as negotiations could not be renewed in face of a popular decision against the cession. His desire, therefore, is to conciliate, as far as possible, the commercial community, whose capital has been invested in a trade which can only be maintained under existing regulations of the port; at the same time he is not unmindful of the difficulty which I have deemed it a duty to present to him, viz.: That the executive department of the Government might find itself embarrassed by such conditions as he thinks desirable to secure. My own impression is that his powers as royal commissioner are largely discretionary, and sufficient, in case the emergency presents itself, to bring the whole matter to an issue, even against formidable opposition.

As my instructions from the Department direct me to defer to the views of the Danish commissioner, I could not do otherwise than concur in his judgment. But I may be allowed to say that, apart from such positive direction, it has appeared to me from the first unsafe to risk a vote as the question now stands; and further, that the position taken by the business men of St. Thomas is most natural and reasonable. If the concessions for which they ask can be properly granted, I see nothing in the way of a speedy and happy conclusion to the mutual desire of the two Governments in this valuable acquisition to the dominion of the United States.

I have the honor to remain your obedient servant,

CHARLES HAWLEY.

Hon. William H. Seward,
Secretary of State.

### MR. PERKINS TO MR. SEWARD

No. 123.)

*St. Thomas, West Indies,*
*December* 4, 1867.

SIR: We returned to St. Thomas, accompanied by Governor Birch in the U. S. S. *Susquehanna,* on the 25th ultimo, and on the following day a public meeting was held at Government house for the purpose of making known officially and publicly the royal ordnance ceding the islands to the United States. Their excellencies, Governor Birch, Vice-Governor Rothe, some other officials, our consular representatives, my colleague and myself, and a few of the influential inhabitants of the island were present.

The commissioner, Chamberlain Carstensen, read the royal ordnance ceding the islands to the United States, and requested an expression of the views of gentlemen present upon the subject, and especially as to the result of a vote of the people.

It seemed to be generally conceded by those present that the vote would be adverse to the change of sovereignty unless a declaration should be made or sufficient expression given by our Government for the inhabitants to believe that the present commercial privileges of St. Thomas would be preserved for a period of at least fifteen or twenty years.

I remarked that the passage of laws in regard to the future commerce of the island relative to a tariff of duties upon imports, etc., would be the province of our national legislature, but that I had every reason to believe and stated it as the view of the Department that the action of Congress would be in a spirit wholly friendly to the islands and that their prosperity would be carefully fostered and guarded by our Government.

The commissioner, however, has decided, and the Government here coinciding with him, that it is unsafe to risk a vote now, and proceeds to Washington in company with Mr. Hawley for the purpose of consultation with the Danish minister and our own Government, hoping to obtain some such declaration or expression from yourself as will insure a favorable vote.

His decision is, perhaps, a wise one, but I do not wholly share his fears, and should he return without accomplishing his purpose it might be more difficult to obtain a favorable vote than now. I shall remain here and at Santa Cruz during their absence, and no opportunity will be neglected by me to further the accomplishment of the object for which we were sent here.

. . . . . . . . . . . .

The inhabitants of Santa Cruz are much disappointed that their island is not included in the treaty.

. . . . . . . . . . . .

I have the honor to be, sir, with great respect, your obedient servant,

E. H. Perkins,
*United States Consul, St. Croix, W. I.*

Hon. William H. Seward,
Secretary of State, Washington.

(INCLOSURE)

### ROYAL PROCLAMATION TO THE INHABITANTS OF THE ISLANDS OF ST. THOMAS AND ST. JOHN. OCTOBER 25, 1867

We, Christian the Ninth, by the grace of God King of Denmark, the Vandals, and the Goths, duke of Schleswig, Holstein, Stormarn, Ditmarsh, Laurenburg, and Oldenburg, send to our beloved and faithful subjects in the islands of St. Thomas and St. John our royal greeting:

We have resolved to cede our islands of St. Thomas and St. John to the United States of America, and we have to that end, with the reservation of the constitutional consent of our Reichstag, concluded a convention with the President of the United States. We have, by embodying in that convention explicit and precise provisions, done our utmost to secure you protection in your liberty, your religion, your property, and private rights, and you shall be free to remain where you now reside or to remove at any time, retaining the property which you possess in the said islands, or disposing thereof and removing the proceeds wherever you please, without you being subjected on this account to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said islands may either retain the title and the rights of their natural allegiance or acquire those of citizens of the United States, but they shall make their choice within two years from the date of the exchange of ratifications of the said convention, and those who shall remain in the islands after the expiration of that term without having declared their intention to retain their natural allegiance shall be considered to have chosen to become citizens of the United States.

As we, however, will not exercise any constraint over our faithful subjects, we will give you the opportunity of freely and extensively expressing your wishes in regard to this cession, and we have to that effect given the necessary instructions to our commissioner extraordinary.

With sincere sorrow do we look forward to the severment of those ties which for many years have united you to us and the mother country, and never forgetting those many demonstrations of loyalty and affection we have received from you, we trust that nothing has been neglected from our side to secure the future welfare of our beloved and faithful subjects, and that a mighty impulse, both moral and material, will be given to the happy development of the islands under the new sovereignty. Commending you to God.

Given at our palace of Amalienborg, the 25th of October, 1867, under our royal hand and seal.

(L.S.) CHRISTIAN, R.

### *Address of Merchants of St. Thomas to the Danish Commissioner*[1]

To His Excellency Chamberlain Carstensen, Knight of Dannebrog and Dannebrogsman, royal commissioner extraordinary for preparing the cession of the islands of St. Thomas and St. John to the United States of America.

YOUR EXCELLENCY: It was with feelings of the most profound pain and sorrow, mingled with disquietude and disappointment, that the undersigned have read His Majesty's proclamation dated the 25th October, 1867, relating to his royal resolution to cede the islands of St. Thomas and St. John to the United States of America: with pain and sorrow because the severance of this island from the Danish nationality, and from those mild and benign laws under which the island has existed and prospered for so long a series of years, can not otherwise but be acutely felt; disquietude and disappointment because, although it has pleased His Majesty the King most graciously to proclaim to us that he, by distinct and definite stipulations, entered into the convention of the cession, has secured to us the free exercise of our liberty, religion, rights of property, and other private rights, still we do not find that any conditions have been made to secure to us that on which depend our existence and welfare as a community — nay, that without which those very rights which are secured to us, as aforesaid, will be lessened — namely, the unshackled freedom, as heretofore, of this port and of its commerce.

Your excellency will know that this island is devoid of all internal resources, having neither agriculture nor manufacture, nor is it by nature fitted to produce those things which contribute to human life and happiness. It has but its free commerce to depend upon. Deprive it of that freedom, and the whole scene, as it now exhibits itself, will be changed. Fortunes will fall, properties will be depreciated in their value, merchants will fail, and homesteads ruined, because all will find the usual employment suddenly arrested.

The question of the continuance of the freedom of this port and of its commerce under a change of government is therefore of paramount importance to us. It addresses itself to the two most powerful passions of the human heart, interest and fear. It applies itself to the strongest principles of human action, profit and loss. It is therefore of the greatest significance and moment for us that a concession in this respect be obtained from the United States Government.

Your excellency, it is said, is on the eve of departure for Washington, wherefore the undersigned now respectfully pray and solicit of your excellency there at the seat of the government of the United States of America to espouse and advocate our cause, our existence, and welfare, and that your excellency will endeavor and strive to obtain for us, if not perpetually, yet for as many years as possible, those immunities and privileges of this port and its commerce which we have hitherto possessed and enjoyed under the Danish Government.

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[1] U. S. Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess., p. 215.

With sentiments of the highest esteem, the undersigned have the honor to be your excellency's most obedient and respectful servants.

(Here follow names of some one hundred and thirty merchants and proprietors.)

## *Proposed Additional Articles to the Convention between Denmark and the United States of America made at Copenhagen on October* 4, 1867 [1]

### ARTICLE I

Considering that the island of St. Thomas has from olden times been a free port, and considering that the welfare of the merchants and of the inhabitants of the island depends upon the continuance thereof, so that no sudden changes in the present state of things be made, particularly as regards the low rates of custom and ship dues, and of port charges, it is agreed that the enactments contained in the law of 16th April, 1862, relating to trade and navigation in St. Thomas, now in force in the said island, shall continue to be in force, as hitherto, for the period of twenty years after the cession of the islands, unless it should be found necessary and requisite to make alterations in any of the minor clauses or enactments of the aforesaid law, in which case the contracting parties reserve the matter for further agreement.

It is, however, understood that the enactments in section 4, III 2, c and d, of the aforesaid law, may be abolished without such mutual agreement as aforesaid.

### ARTICLE II

In the same manner as Article III of the convention has already secured to the inhabitants of the ceded islands protection in their liberty, their religion, their property and private rights, so also is it understood, as a matter of course, that the Danish common and statute law now in force in the islands, with the modifications hitherto enacted therein, shall remain in force in the islands until alterations be made by new legislative enactments after previous deliberation in the council existing at the time in the islands for the treatment of legislative and other like matters.

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[1] U. S. Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess., p. 215.

### Article III

Concessions or grants given from time to time by the Danish Government for conducting or carrying on certain establishments or industrial occupations shall remain in force until they either expire or be withdrawn or recalled from the same circumstances that would have justified such withdrawal or recall had the islands continued to be subject to Denmark; and this shall also be the case with those rights or privileges which have been granted or bestowed by the Danish Government to certain communities or establishments in the islands.

### *Letter from Mr. Seward to Mr. Hawley*[1]

*Department of State,*
*Washington, December* 16, 1867.

Sir: I have carefully read the copy which you have placed in my hands of a communication which was made on the 4th of December instant, by his excellency W. Birch, governor-general of the Danish West India Islands, to Chamberlain E. J. A. Carstensen, Danish royal commissioner extraordinary to the islands of St. Thomas and St. John.

That communication consists of a draft of two additional articles proposed to be incorporated in the convention between Denmark and the United States of America, which was made at Copenhagen the 24th of October, 1867, and of an argument made by Governor Birch in support of the proposition, together with a memorial which has been addressed to the royal commissioners by citizens, merchants of St. Thomas and St. John.

The President has promptly given attention to the subject presented by these papers, and I am now to communicate to you the result.

You will inform the royal commissioner extraordinary that in so great a transaction as the cession of territory and dominion by one sovereign to another it is difficult, if not impossible, to adjust minute arrangements in detail concerning the future government of the ceded territory. All reservations and conditions made by the ceding sovereign necessarily impair the sovereignty of the receiving power, and equally tend to embarrass its legislation and to lay the foundation of ultimate difference and controversy between the contracting powers.

Second. The Constitution of the United States reserves to the Senate the power to ratify, and to refuse to ratify, the treaty made by the President, and the constitution of Denmark equally reserves to the legislature of Denmark the same absolute control over the subject. While the respective chief magistrates concluding the treaty might well suppose that they possess sufficient ability to adjust such details by contract, the assumption that they could so adjust them as to obtain the consent of the two ratifying bodies, and foreclose future legislative action by the Congress of the United States indefinitely, or for a term of years, would be exceedingly presumptuous. The United States have proceeded upon broad considerations of political advantage to themselves in receiving the cession of St. Thomas and St. John from Denmark, but they have not overlooked the rights and interests of the inhabitants of the ceded islands.

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[1] U. S. Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess., p. 215.

Our constitutional system of government is established upon the principle that every people incorporated into the American Union by annexation, or even by conquest, acquire, in the act of annexation, their due and equal share in the protection of the United States and of the liberties and rights of American citizens. Another principle is found at the base of the American Constitution, which is that every community which is received into the national family secures rights and privileges of local self-government with due representation in the councils of the Federal Union.

It is believed by the United States that no portion of the American people can need or reasonably desire any higher or broader guaranties for the protection of life, liberty, and property than those which the Constitution of the United States affords equally and indiscriminately to all the States and the whole American people. The United States are an aggregation of forty-seven distinct political communities, thirty-seven of which are States and ten preparing to be States. They occupy a region which extends from the Gulf of Mexico to the Arctic Ocean, and which stretches from the Atlantic coast to the furthermost of the Aleutian islands in the Pacific Ocean.

All these political communities have at some time belonged to foreign states and empires.

Such has been the benignant operation of self-government in the United States that no one of these distinct communities could now be induced to assume independence, much less to return to its ancient allegiance, or to accept any other sovereign.

The questions which Governor Birch presents in his proposed amendments were long and elaborately discussed, and were finally overruled in the debates which preceded the treaty of Copenhagen.

The United States were unwilling to make the treaty conditional upon the consent of the people of the islands ceded, because, first, they suppose that the King and legislature of Denmark would not, in any case, make a treaty prejudicial to the rights and liberties of those inhabitants; and secondly, because they were satisfied that, through the constitutional guarantees I have alluded to, the inhabitants would secure rights superior even to those which they have so long enjoyed as a colony under the protection of Denmark. The popular vote which is to be taken in the islands is asked by the Danish

Government for its own satisfaction, and not for that of the United States. It is, therefore, a Danish question, into which the United States can in no case enter. They are willing to accept the cession, if notified by the Senate and confirmed by the Rigsdag of Denmark.

In the judgment of the President supplemental negotiations would only tend to embarrassment and delay, while they are deemed altogether unnecessary. I am therefore not at liberty either to negotiate upon the subject with the local authorities or the royal commissioner extraordinary here, or to reopen the negotiations already closed at Copenhagen.

Your agency at St. Thomas was, as you are aware, constituted in deference to wishes expressed by the Danish Government. I am happy to learn from the royal Danish commissioner, now here, that he anticipates no considerable obstacle or delay of the proceeding with which he is charged at that place, and that he is aware of no necessity for further attendance on your part. Under these circumstances the agency will be terminated.

I give you the President's thanks for the propriety, ability, and fidelity with which you have performed duties equally delicate and important.

I am, sir, your obedient servant,

William H. Seward.

Rev. Charles Hawley, etc., St. Thomas.

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### *The Result of the Election*[1]

*St. Thomas, Saturday, January* 11, 1868

According to official announcement, the poll was opened on Thursday morning, 9th, precisely at 8 o'clock. The board appointed to conduct the poll consisted of the Honorable Judge Rosenstand, chairman; Messrs. S. B. Lange, G. W. Smith, E. de Leon, and H. Krebs. Present were His Excellency Chamberlain Carstensen, K.D.; His Excellency Governor Birch, K.D., and His Excellency Chamberlain Rothe, K.D. The first ticket (blue) put in the urn was by Mr. James B. Gomez, native proprietor and head of a family. From that time to the closing of the poll the tide of voters continued without abatement. At the close the polling stood thus:

| | |
|---|---|
| For the cession (blue) | 742 |
| Supplemental votes (blue) | 297 |
| | 1,039 |
| Against the cession (white) | 21 |
| Supplemental votes (white) | 1 |
| | 22 |

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[1] From the St. Thomas *Tidende*, January 11, 1868. U. S. Sen. Doc. No. 231, pt. 8, 56th Cong., 2d sess., p. 221.

When we bear in mind that the population is 13,000, from which must be deducted women, children, old, infirm, and the fluctuating portion (transient) that of course does not come within the requirements for qualifying a voter, it is too evident that a more satisfactory vote could not well be expected.

The result could not otherwise than have been satisfactory to every participant therein, and doubly so to those who ventured to predict its success. The majority for the cession of the islands is so overwhelmingly great compared with those against it, that it admits of no comparison, while the action of the voters on the blue tickets exhibits a peculiarity unusual in the transactions of men, since it can justifiably be said of them that they have pleased and served both parties — a circumstance that it will be owned is not common in voting. The voters have really conformed to the wishes of His Majesty the King, on the one side, and at the same time reasonably met the wishes of the United States Government on the other.

. . . . . . . . . . . .

The success of the blue ticket relieves both contracting parties from an embarrassing position, since it would have been hard to tell how the treaty could have been finally ratified on either side in the absence of a successful plebiscitum, the only modern method by which one people may now be incorporated with another, and at the same time exempt the contractors from the odium of having handed over their citizens or subjects as simply materials for purchase and sale. It is gratifying to know that while the election naturally produced a certain amount of excitement in the minds of the inhabitants (a goodly portion of which is naturally unfamiliar with manhood suffrage), nevertheless, order and good will seemed to animate everyone, and it may be said that not one indecent act occurred, although, independent of the voters, hundreds of people were drawn from their homes to witness what was going on.

. . . . . . . . . . . .

### MR. PERKINS TO MR. SEWARD

No. 125.) *St. Thomas, West Indies, January* 13, 1868.

SIR: I have the honor to inform you that Chamberlain Carstensen, the Danish royal commissioner extraordinary, returned here from Washington on the 1st instant, and in accordance with his publication of that date the voting by the inhabitants of St. Thomas and St. John on the cession of these islands to the United States took place in the former on the 9th and in the latter on the 10th instant, and the result, which I have forwarded to you by telegram from Cuba, has been most satisfactory. In St. Thomas there were 1,039 votes in favor of annexation and only 22 against it. In St. John 205 in favor and none against it. The colored people and the blacks were all in favor of the United States, and the merchants in St. Thomas, from whom I apprehended the chief opposition, behaved remarkably well. Many voted for us and but few against us, while others abstained from voting. It was a holiday here among the people and great enthusiasm was manifested. Early in the day a large number of voters, carrying the American flag and preceded by a band of music, marched to the poll accompanied by a throng of people, the band playing, "Hail Columbia." The mass of the people are rejoiced at the thought of becoming American citizens.

Good order prevailed throughout the day. There has been no naval or other representative of our Government here for some time except Vice-Consul Simmons and myself.

I inclose paper containing the commissioner's address on his return, etc., in separate envelope.

I have the honor to be, your obedient servant,

E. H. Perkins,
*United States Consul.*

Hon. William H. Seward,
Secretary of State, Washington.

# The Period of 1871-1914

## ST. BARTHOLOMEW, WEST INDIES, 1877

*Treaty Between France and Sweden for the Retrocession of the Island of St. Bartholomew by Sweden to France. Signed at Paris, August* 10, 1877 [1]

### TRAITÉ

Le Président de la République française et Sa Majesté le roi de Suède et de Norvège ayant reconnu, d'un mutuel accord, les avantages qui doivent résulter de la réunion de l'île de Saint-Barthélemy aux possessions françaises, ont décidé de conclure un traité à cet effet, et ont nommé pour leurs plénipotentiaires, savoir:

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés, en bonne et due forme, sont convenus des articles suivants:

Article 1. Sa Majesté le roi de Suède et de Norvège rétrocède à la France l'île de Saint-Barthélemy et renonce, en conséquence, pour lui et tous ses descendants et successeurs, à ses droits et titres sur ladite colonie. Cette retrocession est faite sous la réserve expresse du consentement de la population de Saint-Barthélemy et, en outre, aux conditions énumérées dans un protocole spécial, qui sera annexé

### TREATY

The President of the French Republic and His Majesty the King of Sweden and Norway, having recognized by mutual accord the advantages which should result from the union of the Island of St. Bartholomew to the French possessions, have decided to conclude a treaty to that effect, and have named as their Plenipotentiaries, that is to say:

[Here follow the names of plenipotentiaries.]

Who, having communicated their full powers, found in good and due form, have agreed as to the following articles:

Article 1. His Majesty the King of Sweden and Norway cedes back to France the Island of St. Bartholomew and renounces, in consequence, for himself and all his descendants and successors all rights and titles over this colony aforesaid. This retrocession is made under the express reservation of the consent of the population of St. Bartholomew and moreover, under the conditions enu-

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[1] De Martens, *N. R. G.,* 2d series, vol. 4, p. 366; de Clercq, *Recueil,* vol. 12, p. 35. The ratifications were exchanged March 6, 1878.

au présent traité et considéré comme en faisant partie intégrante.

Article 2. Le présent traité et le protocole annexe seront ratifiés, et les ratifications en seront échangées aussitôt que faire se pourra.

En foi de quoi, les plénipotentiaires respectifs ont signé le présent traité et y ont apposé le sceau de leurs armes.

*Fait à Paris, le* 10 *août* 1877.

Decazes.
G. Adelsward.

merated in a special protocol, which shall be annexed to the present Treaty and shall be considered as forming an integral part of it.

Article 2. The present treaty and the protocol annexed, shall be ratified, and the ratifications shall be exchanged as soon as may be.

In token of which, the respective Plenipotentiaries have signed the present treaty and have affixed to it the seal of their arms.

*Done at Paris, August* 10, 1877.

Decazes.
G. Adelsward.

## *Protocol After the Plebiscite, Regarding the Details of the Delivery of the Island to France. October* 31, 1877 [1]

Les soussignés, munis des pleins pouvoirs de leurs gouvernements à l'effet de réglementer la rétrocession de l'île de Saint Barthélemy à la France, stipulée par le traité signé à Paris, le 10 août dernier, sont convenus des dispositions suivantes :

Art. 1. La population de l'île de Saint-Barthélemy ayant été consultée conformément à l'article 1$^{er}$ de la convention ci-dessus rappelée, en faveur d'une réunion de cette île aux possessions françaises, les sujets de la couronne de Suède domiciliés dans ladite île ou dans les îlots qui en dépendent sont déliés de tout lien de sujétion envers Sa Majesté le roi de Suède et de Norvège, ses descendants

The undersigned, furnished with full powers by their governments for the purpose of effecting the retrocession of the Island of St. Bartholomew to France, stipulated by the Treaty signed at Paris the tenth of August last, are agreed on the following arrangements.

Article 1. The population of the island of St. Bartholomew having been consulted according to the terms of Article 1 of the convention referred to above and having pronounced in favor of a union of this island with the possessions of France, the subjects of the Crown of Sweden, domiciled in said island or in the islands which are dependent on it, are relieved of all allegiance towards his

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[1] De Martens, *N. R. G.*, 2d series, vol. 4, p. 367; de Clercq, *Recueil*, vol. 12, p. 37.

et successeurs, et la nationalité française leur sera acquise de plein droit à dater du jour de la prise de possession par l'autorité française.

Article 2. Toutefois, il demeurera loisible aux personnes domiciliées dans l'île de Saint-Barthémy et étant en possession de la qualité de sujets de la couronne de Suède, de s'assurer, si elles préfèrent, la conservation de cette qualité moyennant une déclaration individuelle faite à cet effet devant l'autorité de l'île; mais, dans ce cas, le Gouvernement français se réserve la faculté d'exiger qu'elles transportent leur résidence hors du territoire de Saint-Barthélemy.

Le délai dans lequel pourra se faire la déclaration d'option prévue au paragraphe précédent sera d'un an à dater du jour de l'installation de l'autorité française dans l'île de Saint-Barthélemy.

Pour les personnes qui, à cette date, n'auront pas l'âge fixé pour la majorité par la loi française, le délai d'un an courra à partir du jour où elles atteindront cet âge.

Article 3. La France succède aux droits et obligations résultant de tous actes régulièrement faits par la couronne de Suède ou en son nom pour des objets d'intérêt public ou domanial concernant spécialement la colonie de Saint-Barthélemy et ses dépendances.

. . . . .

Majesty, the King of Sweden and Norway, his descendants and successors, and shall receive full French nationality dating from the day when the French Government shall take possession.

Article 2. It shall, moreover, remain open to the persons domiciled in the Island of St. Bartholomew and in possession of the status of subjects of the Crown of Sweden, to preserve this status if they so prefer, by means of an individual declaration made to this effect before the proper authorities of the Island; but, in this case, the French Government reserves the right to demand that they shall remove their residence outside the territory of St. Bartholomew.

The period in which the declaration of option provided for in the preceding paragraph may be made shall be one year, dating from the day of the installation of the French Government in the Island of St. Bartholomew.

For those persons, who, at that date, shall not have attained the age of majority as fixed by French law, the period of one year shall run from the day when they will attain this age.

Article 3. France succeeds to the rights and obligations resulting from all acts regularly transacted by the Crown of Sweden, or in its name, in the interest of the public or of the Crown which especially concern the colony of St. Bartholomew and its dependencies.

. . . . .

## *Statement of the Reasons for Support of the Bill Approving the Treaty, Presented to the French Chamber of Deputies by Duke Decazes, Minister of Foreign Affairs. November* 12, 1877 [1]

MM. Dans le courant de l'année dernière, le cabinet de Stockholm nous a fait des ouvertures en vue d'une rétrocession de l'île Saint Barthélemy à la France. Cette île, l'une des plus petites parmi les Antilles, compte environ 2,400 habitants et mesure 25 kilomètres de circonférence; elle nous appartenait depuis plus d'un siècle quand, en 1784, elle fut cédée par le roi Louis XVI à la Suède en échange du droit accordé à la France d'établir à Gothenbourg un entrepôt de marchandises françaises.

Les raisons qui avaient motivé l'abandon de cette possession à la Suède puisaient leur force à la fois dans l'intérêt des deux puissances et dans celui de la colonie elle-même. Mais les circonstances ont changé. Les considérations qui avaient déterminé cet arrangement n'ont plus aujourd'hui aucune valeur politique ni commerciale pour les parties contractantes, et la Suède, en ce qui la concerne, avait depuis quelques années déjà formé le projet de renoncer au bénéfice de ces stipulations.

Quant aux habitants de Saint-Barthélemy, sous la souveraineté de la couronne de Suède, ils ont eu à subir des fortunes diverses. Leur île ayant pu échapper à la plupart des difficultés

Gentlemen. In the course of the past year the cabinet of Stockholm made overtures to us with a view to the retrocession of the island of Saint Bartholomew to France. This island, one of the smallest among the Antilles, counts about 2400 inhabitants and measures 25 kilometers in circumference; it had belonged to us for more than a century when, in 1784, it was ceded by King Louis XVI to Sweden in exchange for the right accorded to France of establishing at Gothenburg a warehouse for French merchandise.

The reasons which actuated the abandonment of this possession to Sweden drew their force at one and the same time from the interest of the two powers and that of the colony itself. But circumstances have changed. The considerations which had determined this arrangement have today no longer any value, political or commercial, for the contracting parties, and Sweden as far as she is concerned, had, several years ago, already formed the plan of renouncing the benefit of these stipulations.

As to the inhabitants of Saint Bartholomew, they have had to submit to diverse fortunes under the sovereignty of the Crown of Sweden. Their island, having succeeded in es-

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[1] De Clercq, *Recueil,* vol. 12, p. 37.

qui, lors de nos grandes guerres, [qui] ont paralysé l'essor des colonies voisines, demeurées françaises, a vu pendant un temps son commerce s'accroître et sa prospérite s'affermir. Mais arrivée au point où elle aurait eu besoin d'une vigoureuse impulsion pour développer encore ses ressources, elle est restée stationnaire et son isolement a rendu presque forcément stériles les efforts tentés en sa faveur, sous différentes formes, par la paternelle administration suédoise.

La population det l'île de Saint-Barthélemy n'avait donc aucune objection contre le projet de la Suède d'aliéner cette dépendance, et il lui convenait avant tout, si elle était détachée de sa métropole d'adoption, de se trouver rattachée à sa patrie d'origine.

La résolution prise par le Gouvernement suédois de renoncer à la possession de l'île Saint-Barthélemy, doit être attribuée surtout à la difficulté qui existe pour lui, de l'administrer. Aujourd'hui que la marine royale de Suède et de Norwège confine de préférence sa navigation aux eaux scandinaves, et trouve sa destination principale dans la défense des côtes des deux Royaumes-Unis, c'est une charge sans compensation suffisante que l'obligation de détacher chaque année une frégate, afin de maintenir, par delà l'Atlantique, les rapports officiels de la couronne avec une possession lointaine et solitaire. Pour la France qui entretient aux Antilles une division navale et qui, à la Guadeloupe et à la

caping most of the difficulties which, during our great wars, paralyzed the scope of the neighboring colonies which had remained French, had seen for a time its commerce increased and its prosperity established.

But, arrived at the point where it should have had a vigorous impulse to develop its resources further, it remained stationary, and its isolation almost perforce rendered sterile the efforts made in its favor, under various forms, by the paternal Swedish government.

The population of the island of Saint Bartholomew had therefore no objection whatever to the proposition of Sweden to alienate this dependency, and above all it was pleased, if it was to be detached from its adopted mother, to find itself again attached to the country of its origin.

The resolve taken by the Swedish government to renounce the possession of the island of Saint Bartholomew must be attributed especially to the difficulty that exists in administering it. Now when the royal navy of Sweden and Norway prefers to confine its navigation to Scandinavian waters, and finds its principal use in the defence of the coasts of the two United Kingdoms, the obligation to detach a frigate every year for the purpose of maintaining, on the other side of the Atlantic, the official relations of the Crown with a distant and solitary possession, is a charge without sufficient compensation.

For France who maintains a naval division in the Antilles, and who, at

Martinique, possède une administration coloniale complète, fonctionnant régulièrement de toutes pièces dans le voisinage le plus proche de Saint-Barthélemy, la situation est tout autre; la tâche serait relativement aisée de relever cette colonie de son état d'affaissement actuel et de tirer parti de ses ressources.

Cette conviction nous a permis d'accueillir favorablement les ouvertures qui nous étaient faites par le gouvernement suédois, et nous pouvons, aujourd'hui, unir de nouveau à nos possessions des Antilles une population d'origine française qui, pendant une séparation bientôt séculaire, a conservé la langue et les moeurs de la France.

Nous nous sommes mis facilement d'accord avec le cabinet de Stockholm sur le principe de la rétrocession. La seule condition essentielle à laquelle le roi de Suède entendait qu'elle fut subordonnée était l'assentiment des habitants de l'île exprimé par un vote populaire. Cette demande était trop conforme à notre propre sentiment et aux règles de notre droit public pour que nous y fissions des objections. En conséquence, le ministre des affaires étrangères a signé avec M. le ministre de Suède à Paris, sous la date du 10 août dernier, le traité que nous avons l'honneur de vous soumettre, et qui, stipulant la rétrocession de l'île de Saint-Barthélemy à la France, sous la réserve du consentement de la population intéressée, renvoyait à un protocole spécial le règlement des condi-

Guadeloupe and Martinique, possesses a complete colonial administration, functioning regularly in all matters in the immediate vicinity of Saint Bartholomew, the situation is quite otherwise: the task would be comparatively easy to raise this colony from its state of present weakness and to turn its resources to account.

This conviction allowed us to receive favorably the overtures which were made to us by the Swedish government, and we can now again join to our possessions in the Antilles a population of French origin which, during a separation of very nearly a century, has preserved the language and the customs of France.

We have easily come to an agreement with the cabinet of Stockholm on the principle of the retrocession. The only essential condition to which the King of Sweden required it to be subordinated, was the consent of the inhabitants of the islands, expressed by a popular vote. This demand was too much in conformity with our own sentiment and with the rules of our public law for us to make any objections. In consequence, the Minister of Foreign Affairs signed with the Minister of Sweden at Paris, under date of August 10 last, the treaty which we have the honor to submit to you, and which, stipulating the retrocession of the islands of Saint Bartholomew to France, under reservation of the consent of the population interested, left to a special tions subsidiaires du transfert de souveraineté.

Il a été convenu que, pendant que seraient débattus les termes de ce protocole, le gouvernement royal de Suède ferait procéder sur les lieux à une consultation des habitants de la colonie.

Ils ont été appelés effectivement à déposer leurs votes, et 351 individus ayant pris part au scrutin, 350 se sont prononcés en faveur de la réunion à la France; un seul suffrage a été donné en sens contraire.[1]

Ce résultat acquis, la rédaction du protocole formant annexe du traité de rétrocession et présenté en même temps que lui à votre approbation, a pu être définitivement arrêté. Cet acte a été signé le 31 octobre.

Les clauses qui y figurent se justifient généralement par leur teneur même et demandent peu d'explications.

. . . . .

En vous demandant d'accorder à cet ensemble de dispositions la haute consécration de vos suffrages, nous avons l'espoir de nous rencontrer avec vous dans un commun sentiment de satisfaction nationale, justifié, nous n'hésitons pas à le dire, à la fois par l'objet

protocol the arrangement of subsidiary conditions for the transfer of sovereignty.

It was agreed that, while the terms of this protocol were being discussed, the royal government of Sweden should proceed, on the spot, to a consultation of the inhabitants of the colony,

They have been, in fact, called to cast their votes, and 351 persons having taken part in the balloting, 350 have pronounced themselves in favor of the reunion with France; one single vote was cast in a contrary sense.

This result attained, the drafting of the protocol forming an annex to the treaty of retrocession and presented to your approbation at the same time with it, could be finally concluded. That act was signed on October 31.

The clauses contained therein generally justify themselves by their own tenor, and require little explanation.

. . . . .

In asking you to accord to this collection of provisions the great consecration of your votes, we have the hope that we may meet with you in a common sentiment of national satisfaction, justified, we do not hesitate to say, both by the object and

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[1] A note appended to the document states that according to a census taken at the end of December, 1875, the population of the island of Saint Bartholomew is as follows:

| | Under 15 years of age | Between 15 and 60 years | Over 60 years | Total |
|---|---|---|---|---|
| Male | 401 | 557 | 60 | 1,018 |
| Female | 416 | 828 | 112 | 1,356 |
| Total | 817 | 1,385 | 172 | 2,374 |

et par les phases successives de la négociation qui vient de vous être exposé. La spontanéité de l'offre qui nous a été déférée, la vivacité persistante des souvenirs qu'elle a eu pour effet de réveiller, l'unanime et touchante démonstration qui nous a été adressée de l'autre côté de l'Océan, sont des témoignages auxquels notre patriotisme n'a pu demeurer insensible. Nous avons saisi, non sans quelque émotion, nous devons l'avouer, l'occasion de rattacher à la patrie, dont sur une rive lointaine elle avait gardé si fidèlement le culte, cette petite colonie essentiellement française.

Vous aussi, nous en avons l'assurance, vous estimerez le prix de l'acquisition qui nous est proposée, non d'après l'étendue du territoire ou le nombre des sujets, mais d'après la valeur morale de ce pieux attachement pour la France.

the successive phases of the negotiation which we have just revealed to you. The spontaneity of the offer which has been tendered to us, the persistent vivacity of the memories that it had the effect of awakening, the unanimous and touching demonstration addressed to us from the other side of the ocean, are testimonies to which our patriotism could not remain insensible. We have seized, not without some emotion, we must confess, the occasion to reattach this little colony, essentially French, to the country whose worship it has so faithfully guarded on a distant shore.

You too, we feel assured, will estimate the price of the acquisition which is proposed to us, not according to the extent of territory or the number of subjects, but according to the moral value of this pious attachment for France.

## THE TACNA-ARICA QUESTION, 1883—.

*Extracts from the Correspondence Between the Secretary of State of the United States and the United States Minister Plenipotentiary to Chile. June* 26, 1882–*July* 2, 1883[1]

### MR. FRELINGHUYSEN TO MR. LOGAN

*Department of State, Washington, June* 26, 1882.

SIR:

The war between Peru and Bolivia on the one side and Chili on the other began more than three years ago. In 1880 the substantial success of Chili and its conquest and occupation of all the littoral territory of Bolivia, furnished an opportunity for a pause in operations and for negotiations for peace, which were conducted in the presence of the representatives of the United States. At that time a peace could probably have been secured upon much more favorable terms for the defeated party than are possible now. The allies refused then to concede territory to Chili, and the negotiations failing, the war was continued until Chili became master of the coast and of the capital of Peru. President Pierola fled, and Mr. Calderon was made President and Mr. Montero Vice-President of Peru. This Government was recognized by the United States. The Chilian authorities arrested Mr. Calderon and carried him to Chili, and the United States continued to recognize the same Government in the person of Mr. Montero.

After the arrest of Mr. Calderon the President sent a special mission to both countries in the hope that a way might be found for terminating the war through the exercise of the good offices of the United States. It was hoped that Peru and Bolivia might, through our generous and unselfish counsels, be brought to see that Chili, as a conqueror, had a right to substantial indemnity as the result of victory. On the other hand, it was also hoped that Chili might be found willing to accept a money indemnity sufficient to compensate her for the losses and expenses of war without demanding a sacrifice of territory from the other belligerents. All these hopes proved to be groundless. The mission returned, having effected nothing beyond giving new proof to all parties of the good will of the United States, and of their desire to bring about an equitable and lasting peace.

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[1] *United States, Foreign Relations,* 1883, p. 74.

Notwithstanding the failure of past efforts, we have reason to think that both parties still wish for peace, and that both still desire to have it effected through the good offices of the United States. It will therefore be the first and most pressing duty of the new missions to Chili and Peru to cooperate for that purpose.

. . . . . . . . . . .

As a conquering nation Chili is entitled to the reasonable and natural fruits of victory, chief among which are an indemnity to cover her just losses and a guaranty of future peace and safety. What may be the nature of the indemnity and what that of the guaranty, this Government can not undertake to dictate or to prescribe. A proper indemnity may involve a payment of money or even the cession of territory, and the guaranty, to be effectual, may exact stipulations relating to the control of strategic points or may even assume other forms as they may be found necessary to attain the end desired. We, in common with the other American Republics, are only interested to prevent by our counsels the perpetration of substantial injustice. The President has been disappointed by the failure of the parties to conclude a peace. Without completely subjugating her adversary, Chili has caused the disorganization of the Government of Peru, paralyzed its financial interests, and disastrously affected the pecuniary and other interests of those citizens of neutral states who have gone there to assist in the development and progress of the country.

This state of affairs should be terminated, and will be if friendly counsels are allowed to prevail. If, upon your arrival in Chili, it seems advisable so to do, you will in a prudent and courteous manner communicate the substance of these views to the Chilian Government at such time and to such extent as you may deem proper, and you will signify your disposition, under instructions of your Government, to render every assistance within your power towards bringing about the much-desired settlement.

Owing to the great distance of Chili from the United States and the rapidity of events in such crises, it will be impossible for you to communicate with this Government for instructions upon subjects which may be settled before an answer can reach you; much, therefore, must be left to your own judgment and discretion.

. . . . . . . . . . .

It is understood that Chili is in possession of the littoral province of Bolivia and of the Peruvian littoral provinces of Tarapaca, Tacna, and Arica. It is not supposed that any contingency can happen which will bring about the permanent occupation and annexation by Chili of any larger part of Peru than this. Your efforts, therefore, must be directed towards securing for

Peru as large a part of these provinces in the treaty of peace as possible, and as large a money indemnity as possible for whatever territory may be retained by Chili.

In my instructions to Mr. Trescot, of the 9th of January last, I said:

The President wishes in no manner to dictate or make any authoritative utterance to either Peru or Chili as to the merits of the controversy existing between those Republics, or as to what indemnity should be asked or given, as to a change of boundaries or as to the personnel of the Government of Peru. The President recognizes Peru and Chili to be independent Republics, to which he has no right or inclination to dictate.

The President adheres to those views and expects that they will be regarded in the conduct of these negotiations.

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I am, &c.,

FRED'K T. FRELINGHUYSEN.

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### MR. LOGAN TO MR. FRELINGHUYSEN

(Extract)

*Legation of the United States,*

*Santiago, October* 26, 1882.

SIR:

Under cover of this dispatch I inclose the copy of a note addressed by myself to the minister of foreign affairs, covering in a brief and compact form the history of the recent peace negotiations with Señor Garcia Calderon. My previous dispatches to you embrace the same subject in a much more detailed and extended form.

. . . . . . . . . . . .

I have, &c.,

C. A. LOGAN.

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(INCLOSURE)

### MR. LOGAN TO SENOR ALDUNATE

*Legation of the United States,*
*Santiago, October* 18, 1882.

SIR:

I have the honor to acknowledge the receipt of your excellency's esteemed note of yesterday, requesting me to furnish you a brief statement of the various attempts to agree upon a basis of terms for a treaty of peace between Chili and Peru.

In reply I beg leave to assure you of the pleasure it will afford me to give you a short history of the negotiations referred to.

At the interview held with your excellency after the interchange of notes under date of September 9 ultimo, I stated to you that, as my Government could not feel that the terms of the protocol of Viña del Mar were such as it could recommend Peru to accept, I was anxious that some substantial modification of those terms might be made, in order that my Government could be able to use its good offices in bringing about a peace between its friends. After further consultation, you said that the demands of Chili would be reduced practically to three conditions: first, the cession of Tarapaca; second, the right to purchase the district of Tacna and Arica for a nominal sum of money; and, third, the right to control the sale of guano advertised for the 18th of October. You further said that these conditions were absolute and final.

I then had a conference with Señor Calderon, to ascertain what his views would be upon these conditions. This Gentleman said that without some authoritative expression from his people he did not feel at liberty to agree to any peace upon the basis of a cession of territory. He desired a truce of three years, during which time the opinions of the Peruvians might be unified and a line of action clearly defined. I presented this request for a truce to your excellency, who immediately declined to entertain the proposition. I then requested permission to allow Señor Calderon to go to Peru for a short time, in order to consult his people upon making a peace upon the terms proposed by your excellency. It was not deemed expedient to grant this request. I then asked that he be permitted to go to Angol, where a number of prominent Peruvians are domiciled, and offered to accompany him in person. This permission was granted, and our voyage to that place was facilitated by your excellency.

At Angol we had long consultations with Señor Calderon's friends, and a conclusion was arrived at which rendered me entirely confident that Señor Calderon would be able to comply with the requirements of your excellency's Government.

Soon after our return to Santiago, my understanding is, that Señor Calderon received advices directly from his people in Peru, which seemed positively to prohibit his making an agreement to sell the territory of Tacna and Arica, though he felt fully authorized to consent to the cession of Tarapaca. In consequence of these advices Señor Calderon has steadily refused since that time to consent to a direct sale of the territory alluded to.

This decided opposition of the parties has given rise to the various efforts at a compromise. These efforts have been made upon the basis of several proposals, mostly originated by myself, and may briefly be enumerated as follows:

First. In order to remove the difficulty regarding the sale of Tacna and Arica, I proposed a treaty on the basis of ceding Tarapaca, with a separate article presenting the question of Tacna and Arica, to the Peruvian Congress for its own decision, without any recommendation from Señor Calderon. This proposal was declined, both by your excellency and Señor Calderon.

Second. I proposed to make the river Azufre the boundary line, giving Arica to Chili and Tacna to Peru. This proposal was not accepted by either party.

Third. This suggestion came from your excellency's Government, and was made into a formal proposal by myself. Owing to a mistake of my own, as to one of the conditions, the proposition was first made to Señor Calderon as follows: Chili to have military occupation of Tacna and Arica for five years, at the end of which time a vote to be taken by the people of the territory to determine whether they would attach it to Chili or to Peru. If the vote took the territory to Chili the latter was to pay Peru $10,000,000 in compensation. Chili was to pay Peru $3,000,000 as a loan, upon the ratification of the treaty, and if Chili afterwards obtained the territory by a vote of the people thereof, this amount was to be deducted, leaving Chili seven millions still to pay. If the territory went to Peru, the latter was to repay the three millions with 6 per cent. interest, and Chili was to retain possession of the territory until the whole amount was paid.

The mistake made by me above referred to, was that your excellency's Government, while being willing to pay $10,000,000 for the territory, if voted Chili, also expected to receive $10,000,000, if voted to Peru.

Señor Calderon, however, refused the proposal in its more favorable form, and it was useless to present it to him in the other form, even if I had felt authorized to commit my own Government to it in that shape.

Fourth. I proposed to Señor Calderon that Chili should have military occupation of Tacna and Arica for ten years, and then evacuate it. He declined this, and it was not presented to your excellency.

Fifth. I proposed to submit the following question to the President of the United States, in the capacity of a friendly arbitrator:

" Shall the Chilian Government as a measure growing out of the necessities and manner of settlement of the war have the right to purchase the Peruvian territory lying between the river Camarones and the river Sama, for the sum of $9,000,000, with the stipulation that Bolivia shall be given the perpetual right to the free and innocent passage over said territory, with perpetual freedom from export and import duties, upon the conclusion of a satisfactory treaty between the latter Republic and the Republic of Chili? "

Señor Calderon accepted this proposal, but your excellency declined it, chiefly for two reasons; firstly, because to refer such a question at this time to a foreign ruler would be practically to place the results of the war in the hands of a foreign state, which would be an infringement upon the sovereignty of Chili; and secondly, because to admit the possibility of a decision against Chili, would be to yield all claim upon the district in question, a claim which she has constantly made since the conference of Arica.

Sixth. I then proposed to Señor Calderon that Tacna and Arica should be ceded to Bolivia. This proposal he declined, and it was not presented, therefore, to your excellency.

Seventh. I then proposed that the following question be submitted, not to the head of a foreign Government, but to a diplomatic representative friendly to both parties, who should simply be regarded in the light of an impartial referee:

" Shall Chili have the right to purchase the territory embracing Tacna and Arica for $9,000,000, or shall she have military occupation of the said territory for a period of fifteen years, being obliged to evacuate it at the expiration of that period? "

As this proposition removed your excellency's objection to a foreign ruler, and also secures either the purchase of the territory or its occupation for fifteen years, your excellency consented to accept it, in substance, as the basis of a negotiation. Señor Calderon also consented to it, and I rejoiced in the belief that we were to have peace at last.

When we came to the arrangement of details of procedure, Señor Calderon made certain stipulations to the effect, first, that a clause should be inserted in the treaty, that Chili should pay all of the legitimate debts of Tarapaca, and " make arrangements conducing to a compliance with the contracts of the Peruvian creditors " ; secondly, he proposed making a protocol with the American minister at Santiago, setting forth the terms of the agreement, after which he was to be put in liberty and proceed to Arequipa; he was then to assume direction of his Government, and nominate a plenipotentiary in Lima, to sign with the Chilian representative a truce for six months; thirdly, after the signing of the truce, an election was to be held in Peru for members to a new Congress, to deliberate upon the proposed terms of peace, which, if ratified by the Congress, were to be embodied in a formal treaty to be signed by authorized plenipotentiaries on both sides, at Lima; fourthly, in case of non-ratification by the Congress, notice thereof to be given to Chili, who might resume hostilities thirty days after receiving it.

In defense of these stipulations, Señor Calderon urged that Arequipa was the capital of Peru, and that he would have to observe the form of again assuming direction of the Government; that to hold the Congress in Lima would be to place it under the military control of a foreign power, and that he himself would be as much a prisoner in Lima as in Santiago. In order to act freely they must all be outside the Chilian lines. He also claimed that six months was a very short time in which to hold an election, &c.

Your excellency declined all these stipulations. First. You said that there was no need to make any stipulation in the treaty concerning the Peruvian debt, as the responsibility of your Government was fixed by law and by the guano decree of February last, under which $240,000,000 of that indebtedness had been arranged for with the bondholders. Second. That instead of going to Arequipa, Señor Calderon must proceed to Lima, sign a preliminary treaty, convoke the Magdalena legislature, and in forty-five days confirm or reject the treaty. Your excellency proposed withdrawing the Chilian troops temporarily to Callao in order to leave Lima free to the legislature. Third. Your excellency declined a truce of six months, as it would lose to Chili the advantage of her present situation and expose her troops to the attacks of guerillas, who would not respect any truce.

In the discussion which followed neither your excellency nor Señor Calderon felt disposed to recede from the position taken, and the promised peace failed.

I believe I have given the substantial facts of the case in the foregoing statement, though if I have made any error I shall be glad to have your excellency correct it.

I embrace, &c.,

C. A. Logan.

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## *Peace Protocol Between Novoa and Iglesias* [1]

I bind myself formally and solemnly to celebrate with the Republic of Chili a treaty of peace, as soon as the minister plenipotentiary of that country recognizes me in the name of his Government as President of Peru. (I will sign such peace) on the following conditions:

1st. Unconditional and perpetual cession to Chili of the department of Tarapaca, as far towards the north as the Quebrada de Camarones, this territory passing in consequence under the absolute sovereignty of Chili.

2d. The territories of Tacna and Arica, actually in the possession of Chili, will be subject to the legislation and laws of Chili for the term of ten years, reckoning from the day when the treaty of peace shall be celebrated. This term once elapsed, a plebiscite will be convoked to decide by popular vote whether these territories shall remain under the sovereignty of Chili or return to that of Peru. That one of these two nations, in whose favor the definite annexation shall be decided, shall pay the other 10,000,000 silver pesos in Chilian coin or in Peruvian soles of equal fineness.

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[1] Inclosure in despatch of Mr. Logan to Secretary Frelinghuysen, July 2, 1883. U. S., Foreign Relations, 1883, p. 117.

A special protocol shall establish the form under which the plebiscite shall take place, and the term in which the 10,000,000 pesos shall be paid by the country remaining master of Tacna and Arica.

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## *Treaty of Peace and Friendship Between Chile and Peru. Signed at Ancon, October* 20, 1883 [1]

La República de Chile, de una parte, i de la otra la República del Perú, deseando restablecer las relaciones de amistad entre ámbos paises, han determinado celebrar un Tratado de paz i amistad i al efecto han nombrado i constituido por sus Plenipotenciarios a saber:

S.E. el Presidente de la Republica de Chile a don Jovino Novoa, i S.E. el Presidente de la Republica del Perú a don José Antonio de Lavalle, Ministro de Relaciones Esteriores i a don Mariano Castro Zaldívar.

Quienes, despues de haberse comunicado sus Plenos Poderes, i de haberlos hallado en buena i debida forma, han convenido en los artículos siguientes:

Art. primero. Restablécense las relaciones de paz i amistad entre las

The Republic of Peru on the one part, and the Republic of Chile on the other, being desirous of re-establishing friendly relations between the two countries, have resolved to conclude a Treaty of Peace and Friendship, and for that purpose have named as their Plenipotentiaries, that is to say:—

His Excellency the President of the Republic of Peru, Don José Antonio de Lavalle, Minister of Foreign Affairs; and Don Mariano Castro Zaldivar;

And his Excellency the President of the Republic of Chile, Don Jovino Novoa;

Who, after having communicated to each other their full powers, and found them to be in good and due form, have agreed upon the following Articles:—

Article 1. Relations of peace and friendship are re-established be-

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[1] Martens, *N. R. G.*, 2d series, vol. 10, p. 191. Translation from *British and Foreign State Papers*, vol. 74, p. 349. Ratifications exchanged at Lima, March 28, 1884.

Repúblicas de Chile i del Perú.

Art. segundo. La República del Perú cede a la República de Chile, perpétua e incondicionalmente, el territorio de la provincia litoral de Tarapacá, cuyos límites son, por el norte la quebrada i rio de Camarones; por el sur la quebrada i rio del Loa; por el oriente la República de Bolivia i por el poniente el mar pacífico.

Art. tercero. El territorio de las provincias de Tacna i Arica, que limita por el norte con el rio Sama, desde su nacimiento en las cordilleras limítrofes con Bolivia hasta su desembocadura en el mar, por el sur con la quebrada i rio de Camarones, por el oriente con la República de Bolivia, i por el poniente con el mar Pacifico, continuará poseido por Chile i sujeto a la lejislacion i autoridades chilenas durante el término de diez años contados desde que se ratifique el presente Tratado de paz. Espirado este plazo, un plebiscito deciderá, en votacion popular, si el territorio, de las provincias referidas queda definitivamente del dominio i soberanía de Chile, o si continúa siendo parte del territorio peruano. Aquel de los dos paises a cuyo favor queden anexadas las provincias de Tacna i Arica, pagará al otro diez millones de pesos moneda chilena de plata o soles peruanos de igual lei i peso que aquella.

Un protocolo especial, que se con-

tween the Republics of Peru and Chile.

Art. 2. The Republic of Peru cedes to the Republic of Chile, in perpetuity and unconditionally, the territory of the littoral province of Tarapaca, the boundaries of which are: on the north, the ravine and River Camarones; on the south, the ravine and River Loa; on the east, the Republic of Bolivia; and on the west, the Pacific Ocean.

Art. 3. The territory of the provinces of Tacna and Arica, bounded on the north by the River Sama from its rise in the Cordilleras bordering upon Bolivia, to where it flows into the sea, on the south by the ravine and River Camarones, on the east by the Republic of Bolivia, and on the west by the Pacific Ocean, shall remain in the possession of Chile, and subject to Chilean laws and authorities, during the term of ten years, to be reckoned from the ratification of the present Treaty of Peace. At the expiration of that term a plebiscite shall, by means of a popular vote, decide whether the territory of the provinces referred to is to remain definitively under the dominion and sovereignty of Chile, or continue to form a part of the Peruvian territory. Whichever of the two countries in whose favour the provinces of Tacna and Arica are to be annexed shall pay to the other 10,000,000 dollars in Chilean silver currency, or Peruvian soles of the same standard and weight.

A special Protocol, which shall be

siderará como parte integrante del presente Tratado, establecerá la forma en que el plebiscito deba tener lugar i los términos i plazos en que hayan de pagarse los diez millones por el pais que quede dueño de las provincias de Tacna i Arica.

ART. CUARTO. En conformidad a lo dispuesto en el supremo decreto de 9 de febrero de 1882, por el cual el Gobierno de Chile ordenó la venta de un millon de toneladas de guano, el producto liquido de esta sustancia, deducidos los gastos i demas desembolsos a que se refiere el artículo 13 de dicho decreto, se distribuirá por partes iguales entre el gobierno de Chile i los acreedores del Perú, cuyos títulos de crédito aparecieren sustentados con la garantía del guano.

Terminada la venta del millon de toneladas a que se refiere el inciso anterior, el Gobierno de Chile continuará entregando a los acreedores peruanos el cincuenta por ciento del producto líquido del guano, tal como se establece en el mencionado artículo 13, hasta que se estinga la deuda o se agoten las covaderas en actual esplotacion.

Los productos le las covaderas o yacimientos que se descubran en lo futuro en los territorios cedidos, pertenecerán esclusivamente al Gobierno de Chile.

. . . . .

ART. DÉCIMO CUARTO. El presente Tratado será ratificado i las ratificaciones canjeadas en la ciudad de Lima cuanto ántes sea posible dentro de un

considered an integral part of the present Treaty, will establish the form in which the plebiscite is to take place, and the conditions and periods of payment of the 10,000,000 dollars by the country which remains in possession of the provinces of Tacna and Arica.

ART. 4. In conformity to the provisions of the Supreme Decree of the 9th February, 1882, by which the Government of Chile ordered the sale of 1,000,000 tons of guano, the net proceeds of that sale, after deducting the expenses and disbursements referred to in Article 13 of the said Decree, shall be equally divided between the Government of Chile and those creditors of Peru whose claims appear to be guaranteed by the guano.

The sale of the 1,000,000 tons referred to in the preceding paragraph being completed, the Government of Chile shall, as provided for in Article 13, continue to hand over to the Peruvian creditors 50 per cent. of the net proceeds of the guano until the debt be extinguished or the guano beds actually worked be exhausted.

The proceeds of the guano beds which may hereafter be discovered in the ceded territories shall belong exclusively to the Government of Chile.

. . . . .

ART. 14. The present Treaty shall be ratified, and the ratifications exchanged as soon as possible within the maximum term of 160 days, término máximo de ciento sesenta dias contados desde esta fecha.

En fé de lo cual, los respectivos Plenipotenciarios lo han firmado por duplicado i sellado con sus sellos particulares.

Hecho en Lima, a veinte de octubre del año de Nuestro Señor, mil ochocientos ochenta i tres.—

Jovino Novoa,
J. A. de Lavalle,
Mariano Castro Zaldivar.

to be reckoned from this date.

In faith of which the respective Plenipotentiaries have signed the same in duplicate and affixed thereto their respective seals.

Done at Lima this 20th day of October, in the year of our Lord, 1883.

Jovino Novoa,
J. A. De Lavalle,
Mar. Castro Zaldivar.

## *The Jiménez-Vial Solar Protocol. Signed January* 26, 1894 [1]

### I

El plebiscito se verificará en las condiciones de reciprocidad que ambos gobiernos estimen necesarias para obtener una votacion honrada y que sea la expresión fiel y exacta de la voluntad popular de las provincias de Tacna y Arica.

### I

The plebiscitum shall be held under the conditions of reciprocity that both governments shall deem necessary in order to obtain an honest election that will be the faithful and true expression of the popular will of the provinces of Tacna and Arica.

### II

Aquel de los dos paises á cuyo favor queden anexadas dichas provincias, pagará al otro, los diez millones de soles estipulados en el referido articulo III, en bonos de la deuda pública de 4½ por ciento de interés y uno por ciento de amortización. Los bonos de Chile se cotizarán al tipo medio que los de la misma clase hayan tenido en el semestre anterior en el mercado de Londres; y los bonos del Perú al tipo

### II

The one of the two nations in whose favor the said provinces are to be annexed shall pay unto the other the ten million pesos stipulated in Clause III, in bonds of the public debt at 4½ per centum interest and 1 per cent. sinking fund. The bonds of Chile shall be quoted at the average price at which those of the same description have been quoted in the London Exchange during the preque se convenga entre ambos gobiernos, no pudiendo ser éste menor del sesenta por ciento.

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[1] Ministerio de Relaciones Exteriores del Perú. *Circular Sobre la Cuestión Tacna y Arica,* pp. 188–189. This protocol was not ratified. Translation from Maurtua. *Question of the Pacific,* p. 185.

El gobierno que emita dichos bonos podrá, en cualquier tiempo, hacer amortizaciones totales ó parciales de ellos al tipo en que fueron aceptados en el momento de su emisión.

III

Los cupones por intereses vencidos y bonos amortizados serán recibidos en pago de los derechos de aduana del pais que los emita.

IV

En el caso de que Chile obtuviera el triunfo en el plebiscito, el Perú podrá rectificar su frontera del Sama, avanzando hasta la ribera sur de la quebrada de Chero, que comienza en Punta Quiaca y termina en la cordillera al sur del nevado Pallagua, prolongándose la linea divisoria hasta el origen y curso del Uchusuma.

En cambio, si el Perú fuese el favorecido, Chile podrá rectificar su frontera de Camarones avanzando hasta la ribera norte de la quebrada de Vítor ó Chaca, comprendiendo la caleta del mismo nombre y prolongándose la linea divisoria por dicha quebrada hasta su vertiente meridional y el límite con Bolivia.

El pais que haga uso del derecho que se le concede en esta base, abonará al otro la suma de tres millones

vious half year, and the bonds of Peru at the price to be decided upon by both governments, but in no case lower than 60 per cent.

The government issuing the bonds may at any time redeem them totally or in part at the rate at which they were accepted at the time of their issue.

III

The coupons for interest due and for the redeemed bonds shall be received in payment of custom dues of the nation issuing them.

IV

In the event that Chile should gain the plebiscitum Peru shall be entitled to rectify her frontier on the river Sama, advancing up to the southern border of the valley of Chero, that commences in Punta Quiaca and terminates in the cordillera to the south of snow-capped Pallagua, extending the boundary line until the source and flow of the Uchusuma.

*Per contra,* if Peru should be favored Chile shall be entitled to rectify her frontier of Camarones, advancing as far as the northern edge of the valley of Vitor or Chaca, including the inlet of the same name, and extending the boundary line by the said valley as far as its southern slope and the boundary with Bolivia.

Whichever nation shall make use of the concession herein mentioned shall pay unto the other the sum of de soles que se descontarán del monto total de la indemnización.

three million pesos, which shall be deducted from the total sum of the indemnity.

## *Uncompleted Secret Treaty between Chile and Bolivia. Signed May 18, 1895* [1]

La república de Chile y la república de Bolivia, en el propósito de estrechar cada vez más los vinculos de amistad que unen á los dos paises, y de acuerdo en que una necesidad superior, el futuro desarrollo y prosperidad comercial de Bolivia requieren su libre y natural acceso al mar, han determinado ajustar un tratado especial sobre trasferencia de territorio, y al efecto han nombrado y constituido por sus plenipotenciarios, á saber:

S. E. el presidente de la república de Chile, á don Luis Barros Borgoño, ministro de relaciones exteriores de Chile; y S. E. el presidente de la república de Bolivia, á don Heriberto Gutiérrez, enviado extraordinario y ministro plenipotenciario de Bolivia en Chile, quienes, después de haber canjeado sus plenos poderes, y habiéndolos hallado en buena y debida forma, han acordado las siguientes bases:

The Republic of Chile and the Republic of Bolivia, for the purpose of strengthening yet more the ties of friendship that unite the two nations, and in accordance with the high necessity that the future development and commercial prosperity of Bolivia require of a free and natural access to the sea, have determined to make a special treaty regarding transference of territory, and for this object have named and appointed their Plenipotentiaries, namely:

His Excel. the President of Chile, appoints Mr. Luis Barros Borgono, Chilian Minister for Foreign Affairs, and His Excel. the President of Bolivia, appoints Mr. Heriberto Gutierrez, Envoy Extraordinary and Minister Plenipotentiary of Bolivia, in Chile, who after having exchanged their full powers, and having found them in good and due form, have accorded the following bases:

### I

Si, á consecuencia del plebiscito que haya de tener lugar, en conformidad

### I

If in consequence of the plebiscite, that should take place in conformity al tratado de Ancón, o á virtud de arreglos directos, adquiriese la república de Chile dominio y soberanía permanente sobre los territorios de Tacna y Arica, se obliga á trasferirlos á la república de Bolivia, en la misma forma y con la misma extensión que las adquiera, sin perjuicio de lo establecido en el articulo II.

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[1] Ministerio de Relaciones Exteriores del Perú, *Circular sobre la cuestión Tacna y Arica,* p. 231. This treaty was not ratified. Translation from R. Egaña, *The Tacna and Arica Question,* p. 58.

La república de Bolivia abonará, como indemnización de dicha trasferencia de territorio, la suma de cinco millones de pesos de plata, de 25 gramos y 9 décimos fino, quedando especialmente afecto para responder á este pago, el 40 por ciento del rendimiento bruto de la aduana de Arica.

### II

Si se verifica la cesión contemplada en el artículo precedente, es entendido que la república de Chile avanzaría su frontera norte de Camarones á la quebrada de Vítor, desde el mar hasta tocar con el límite que actualmente separa esa región de la república de Bolivia.

### III

A fin de realizar el propósito enunciado en los articulos anteriores, el gobierno de Chile se compromete á empeñar todos sus esfuerzos, ya sea separada ó conjuntamente con Bolivia, para obtener en propiedad definitiva los territorios de Tacna y Arica.

with the Treaty of Ancon, or by means of direct arrangements, the Republic of Chile should acquire permanent dominion and sovereignty over the territories of Tacna and Arica, Chile incurs the obligation of transferring them to the Republic of Bolivia in the same form and with the same extension with which they are acquired, without prejudice of that which is established in Article II.

The Republic of Bolivia shall pay, as indemnity for the said transference of territory, the sum of five million silver dollars, weighing 25 grammes each, and of nine tenths fine silver; there being given as a special security for this payment, 40 per cent. of the gross income of the Arica custom-house.

### II

If the cession, contemplated in the preceding article, takes place, it is understood that the Republic of Chile advances her frontier north of Camarones to the valley of Vitor, from the sea to the limit that now separates that region from the Republic of Bolivia.

### III

In order to realize the purpose announced in the preceding Articles, the Government of Chile promises to employ all her efforts, either separately or together with Bolivia, to obtain definite possession of the territories of Tacna and Arica.

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| IV | IV |
| Si la república de Chile no pudiese obtener en el plebiscito, ó por arreglos directos, la soberanía definitiva de la zona en que se hallan las ciudades de Tacna y Arica, se compromete á ceder á Bolivia la caleta de Vítor hasta la quebrada de Camarones, ú otra análoga, y además la suma de cinco millones de pesos de plata, de 25 gramos de peso y 9 décimos fino. | If the Republic of Chile can not obtain by the plebiscite, or by direct arrangements, the definite sovereignty of the zone in which are situated the cities of Tacna and Arica, she promises to cede to Bolivia the Cove of Vitor, as far as the valley of Camarones, or another analogous one, and moreover the sum of five million dollars, of the weight of 25 grammes, and nine tenths of fine silver. |
| V | V |
| Un arreglo especial determinará los límites precisos del territorio que se ceda, conforme al presente tratado. | A special arrangement shall determine the precise limits of the territory to be conceded, in conformity with the present Treaty. |
| VI | VI |
| Si la cesión se hiciese en conformidad al articulo IV, y en la zona cedida se encuentran ó se descubren en lo futuro yacimientos de salitre, no podrán absolutamente ser explotados, ni trasferidos, sino después que se hallen agotados todos los yacimientos de salitre existentes en el territorio de la república de Chile, salvo que, por acuerdo especial de ambos gobiernos, se estipule otra cosa. | If the cession be made in conformity with Article IV, and in the zone ceded there be found, or discovered in the future, deposits of nitrate, these deposits can not be worked or transferred till after all the nitrate deposits existing in the territory of Chile be exhausted; except, that by special agreement between the two Governments, another method be stipulated. |
| VII | VII |
| Este tratado, que se firmará al mismo tiempo que los de paz y comercio, ajustados entre las mismas repúblicas, se mantendrá en reserva, y no podrá publicarse sino mediante acuerdo entre las altas partes contratantes. | This Treaty, that shall be signed at the same time as those referring to Peace and Commerce, adjusted between the same Republics, and shall be maintained in reserve, and can not be published except by an agreement between the high contracting parties. |

VIII

Las ratificaciones de este tratado serán canjeadas dentro del plazo de seis meses, y el canje tendrá lugar en la ciudad de Santiago.

En fe de lo cual, el señor ministro de relaciones exteriores de Chile y el señor enviado extraordinario y ministro plenipotenciario de Bolivia firman y sellan, con su respectivo sello, por duplicado, el presente tratado especial, en la ciudad de Santiago, á los dieciocho días del mes de mayo de mil ochocientos noventa y cinco.

(L. S.) Luis Barros Borgoño.
(L. S.) Heriberto Gutiérrez.

VIII

The ratifications of this Treaty shall be exchanged within the term of six months, and this exchange shall take place in the city of Santiago.

In witness of this the Chilian Minister for Foreign Affairs and the Envoy Extraordinary and Minister Plenipotentiary of Bolivia signed and sealed the present Special Treaty, in the city of Santiago, on the eighteenth of May, one thousand eight hundred and ninety-five.

(L. S.) Luis Barros Borgoño.
(L. S.) Heriberto Gutiérrez.

### *The Billinghurst-Latorre Protocol. Signed April* 16, 1898[1]

En la ciudad de Santiago, á los dieciseis días del mes de abril de mil ochocientos noventa y ocho, reunidos en la sala del despacho del ministerio de relaciones exteriores, el señor don Guillermo E. Billinghurst, ministro plenipotenciario en misión especial de la república del Perú, y el señor don Juan José Latorre, ministro del ramo, expusieron que: los gobiernos de la republica del Perú y de la república de Chile, deseosos de llegar á una solución definitiva respecto al dominio y soberanía de los territorios de Tacna y Arica, en conformidad al tratado de paz de 20 de octubre de 1883, y de estrechar las relaciones de amistad entre ambos pueblos, eliminando una

In the city of Santiago, on the sixteenth day of the month of April, eighteen hundred and ninety-eight, Señor Guillermo E. Billinghurst, Minister Plenipotentiary on special mission from the Republic of Peru, and Señor Juan José Latorre, Secretary in Office, having met in the office of the Secretary of Foreign Relations, stated that: The Governments of the Republic of Chile and of the Republic of Peru, desirous of arriving at a definite solution with regard to the dominion and sovereignty of the territories of Tacna and Arica, in conformity with the Treaty of Peace, of October 20th, 1883, and also desirous of strength-

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[1] Ministerio de Relaciones Exteriores del Perú, *Circular sobre la cuestión Tacna y Arica,* p. 302. The Protocol was not ratified.

cuestión que los ha preocupado desde hace tiempo; después de examinar y calificar sus respectivos poderes y de encontrarlos bastantes, ajustaron la siguiente convención, destinada á dar cumplimiento al articulo 3° del aludido tratado de 20 de octubre de 1883:

### Artículo 1

Quedan sometidos al fallo del gobierno de su majestad la reina regente de España, á quien las altas partes contratantes designan con el carácter de árbitro, los puntos siguientes:

1°. quienes tienen derecho á tomar parte en la votación plebiscitaria destinada á fijar el dominio y soberanía definitivos de los territorios de Tacna y Arica, determinando los requisitos de nacionalidad, sexo, edad, estado civil, residencia ó cualesquiera otros que deban reunir los votantes;

2°. si el voto plebiscitario debe ser público ó secreto.

. . . . .

### Artículo 2

Una junta directiva compuesta de un representante del gobierno de Chile, de un representante del gobierno del Perú, y de un tercero designado por el gobierno de España, presidirá los actos y tomará las resoluciones necesarias para Llevar á cabo el plebiscito. Tendrá el carácter de presidente de la junta el tercero designado por el gobierno de España.

ening the relations of friendship between the two nations by eliminating a question which has preoccupied them for a long time past, after examining and approving their credentials, have agreed upon the following convention, designed to facilitate the carrying out of Article III, of the aforesaid Treaty of October 20th, 1883:

### Article 1

There shall be submitted to the decision of the Government of Her Majesty the Queen Regent of Spain, whom the High Contracting Parties designate as Arbitrator, the following points:

1st. Who have a right to vote in the plebiscite which shall decide the permanent sovereignty and dominion over the territories of Tacna and Arica; determining the requisites of nationality, sex, age, civil condition, residence, or any others which should qualify the voters;

2nd. Whether the balloting for the plebiscite shall be public or secret.

. . . . .

### Article 2

A directive assembly, composed of a representative of the Government of Chile, of a representative of the Government of Peru and a third person appointed by the Government of Spain, shall preside over the elections and take such resolutions as may be necessary to carry out the plebiscite. The president of the Assembly shall be the person appointed by the Government of Spain.

Corresponderá á esta junta:

1°. formar y publicar el registro general de todos los que tengan derecho á votar;

2°. decidir todas las dificultades, dudas y cuestiones que se promuevan con motivo de las inscripciones, votaciones y demás actos del plebiscito;

3°. practicar el escrutinio general de los sufragios en vista del resultado parcial obtenido en cada una de las mesas receptoras de votos;

4°. proclamar el resultado de la votacion general, comunicándolo inmediatamente á los gobiernos de España, del Perú y Chile;

5°. dictar todas aquellas providencias é instrucciones necesarias para la mejor realización de los actos plebiscitarios determinados en la presente convención.

Todas las resoluciones de esta junta se tomarán por mayoria de votos. En caso de dispersión, prevalecerá la opinión del tercero designado por el gobierno de España.

### ARTÍCULO 3

A más tardar, cuarenta días después de expedido el fallo del árbitro, á que se refiere el artículo 1. procederán los gobiernos del Perú y de Chile á nombrar sus representantes. La junta directiva se instalará en la ciudad de Tacna y comenzará á funcionar dentro del plazo de díez dias, á contar desde que se encuentre en dicha ciudad el tercero que designe el gobierno de España.

The duties of this Assembly are:

1st. To draw up and publish a general register of all persons who are entitled to vote;

2nd. To decide all difficulties, doubts and questions which may arise connected with the registration, balloting and other acts of the plebiscite;

3rd. To make a general count of the votes, in view of the partial result obtained at each of the places designated for receiving votes;

4th. To proclaim the general result of the vote, communicating this result immediately to the Governments of Spain, Chile and Peru;

5th. To give all necessary orders and instructions for the proper carrying out of the plebiscites, determined upon by the present Convention.

All the resolutions of this Assembly shall be determined by majority vote. In case of differences, the casting vote of the member named by Spain shall decide.

### ARTICLE 3

Not later than forty days after the Arbitrator has pronounced a decision, as determined by Article 1, the Governments of Chile and Peru shall proceed to name their delegates. The Directive Assembly shall be installed, in the city of Tacna, and commence its duties, within the term of ten days after the arrival at that city of the third delegate, named by Spain.

### Artículo 4

Habrá cuatro comisiones ó mesas de inscripción; una en Tacna, otra en Tarata, otra en Arica y otra en Lluta.

Compondrán cada una de estas comisiones:

1°. un comisionado del gobierno del Perú;

2°. un comisionado del gobierno de Chile;

3°. un comisionado nombrado por la junta directiva del plebiscito y que tendrá el carácter de presidente.

Dichas comisiones se instalarán, á más tardar, ocho días después de la instalación en Tacna de la junta directiva y funcionarán durante cuarenta días consecutivos, desde las diez de la mañana hasta las cuatro de la tarde. Diariamente, al suspenderse los trabajos, pondrán al pié de la última inscripción una nota firmada por todos sus miembros en que se exprese, en letras, el número de individuos inscritos en el día. Las hojas de registro en que se hubieren hecho las inscriptoras serán tomados por mayoría por todos los miembros de las comisiones.

Los acuerdos de las comisiones inscriptoras serán tomados por mayoría de votos y sus resoluciones serán apelbles para ante la junta directiva.

Las comisiones inscribirán en los registros á todas las personas que lo soliciten y que tengan derecho á votar, conforme al fallo del árbitro de-

### Article 4

There shall be four offices for registration; one at Tacna, one at Tarata, one at Arica and the other at Lluta.

At each office there shall be a commission composed of:

1st. A commissioner of the Chilian Government;

2nd. A commissioner of the Peruvian Government; and

3rd. A commissioner, named by the Directive Assembly of the Plebiscite, who shall preside over the commission.

These commissions shall be installed, at the latest, eight days after the installation at Tacna of the Directive Assembly, and shall carry out their functions during forty consecutive days, from ten in the morning till four in the afternoon. At the end of each day's work minutes shall be drawn up, signed by all the members stating the number, expressed in letters, not figures, of persons registered during the day. The leaves of the Register in which the inscriptions are made shall also be signed ("rubricadas") by all the members of the commission.

Resolutions of the Commissions of Registration shall be resolved by majority vote, and are subject to appeal, to be made to the Directive Assembly.

The Commissions of Registration shall enroll in the registers all persons who ask to be inscribed, and who have a right to vote, according signado en el artículo 1, y les otorgarán un certificado de inscripción, que los inscritos deberán exhibir en el acto de votar.

Siempre que la junta se negare á inscribir á un indivíduo, deberá anotar en el acta de la sesión del día el nombre del excluído y la causa de la exclusión.

El individuo á quien se hubiere negado la inscripción, tendrá derecho á que se le dé copia de esa parte del acta, autorizada por los miembros de la comisión inscriptora.

A más tardar, cuarenta y ocho horas después de terminadas sus funciones, las comisiones inscriptoras entregarán los registros y demás documentos originales á la junta directiva.

### Artículo 5

La junta directiva determinará, en vista del fallo arbitral, los medios por los cuales pueda comprobarse la posesión de los requisitos que, conforme á dicho fallo, deberán reunir los votantes.

### Artículo 6

La junta directiva hará publicar los registros dentro de los diez días siguientes á su recepción, por orden alfabético de apellido de los inscritos. Esta publicación se hará en los periódicos de Tacna y Arica y en hojas sueltas que se fijarán en los lugares más públicos de Lluta y Tarata.

Dentro de los quince días siguientes á dicha publicación, podrán presen-

to the resolution of the Arbiter, named in Art. 1: and there shall be delivered to them a registration certificate, which must be produced at the time of voting.

Whenever the Commission refuses to register a person, there should be noted in the minutes of the day the name of the person and the cause of the exclusion.

The person excluded has a right to receive a copy of that part of the minutes referring to his exclusion, signed by the members of the Commission of Registration.

Forty-eight hours after terminating their functions, at the latest, the Commissions of Registration shall deliver the registers and other original documents to the Directive Assembly.

### Article 5

The Directive Commission shall determine, in conformity with the arbitral resolution, the means by which the possession by voters of the qualifications required may be proved.

### Article 6

The Directive Commission shall publish the registers, within ten days after their receipt; the names to be arranged alphabetically. This publication shall be made in the newspapers of Tacna and Arica, and in a separate form, to be posted in public places at Lluta and Tarata.

During the fifteen days following the said publication, the persons who tarse á la junta directiva los individuous á quienes se haya negado la inscripción y las reclamaciones que cualquiera persona podrá entablar contra las inclusiones indebidas. Terminado aquel plazo, no se admitirá ninguna reclamación y el registro quedará definitivamente formado con las modificaciones que la junta haya dispuesto, todo lo cual se publicará inmediatamente en la forma prescrita, en el inciso 1°. del presente articulo.

### Artículo 7

Diez dias después de cerrado el registro definitivo, comenzarán á funcionar las comisiones encargadas de la recepción y escrutinio de los sufragios.

Estas comisiones serán compuestas de las mismas personas que hayan formado las de inscripción; funcionarán durante diez días consecutivos desde las nueve de la mañana hasta las cuatro de la tarde, en los mismos lugares que aquellas, á saber: Tacna, Arica, Tarata y Lluta; y adoptarán sus resoluciones por mayoría de votos, las cuales serán apelables para ante la junta directiva.

Todo sufragante, al tiempo de votar, presentará el mismo certificado que hubiere recibido al inscribirse, el cual quedará en poder de la comisión receptora, con una anotación de hallarse inutilizado, bajo la firma de todos sus miembros. En cambio, se otorgará al sufragante una constancia escrita de que ha votado. Diaria-

have not been allowed to register themselves, and any person who wishes to prove undue inclusion of persons in the register, may present themselves before the Directive Commission. After this date no such demands shall be admitted, and the Register shall be finally formed, with the modifications that the Directive Assembly may have made, all of which shall be immediately published in the form indicted in the first clause of this present article.

### Article 7

Ten days after the closing of the final Register, the functions of the commissions charged with the reception and the counting of the votes shall commence.

These commissions shall be composed of the same persons who have formed the Commissions of Registration, and shall carry out its functions during ten consecutive days, from nine in the morning until four in the afternoon, in the same places aforementioned, namely: Tacna, Arica, Tarata and Lluta; and shall form its resolutions by majority vote, any appelation to be made before the Directive Commission.

Each voter, at the time of voting, shall present the certificate which he received upon registration, which shall remain in the possession of the Commission, with a note, stating that it is cancelled, signed by all the members of the Commission.

In exchange for this the voter shall receive a written certificate to the efmente se asentará el resultado de la votación en un acta que, por triplicado, será levantada y firmada por todos los miembros de la comisión, conservando cada uno de ellos un ejemplar.

### ARTÍCULO 8

Tres días después de terminada la recepción de los sufragios, á más tardar, las comisiones entregarán á la junta directiva del plebiscito las actas y demás documentos de las votaciones parciales.

### ARTÍCULO 9

Seis días después de terminada la votación, procederá la junta directiva á practicar el escrutinio general en vista de las actas parciales, en sesión pública y en un solo acto hasta proclamar el resultado.

### ARTÍCULO 10

La junta directiva gozará de completa independencia en el ejercicio de sus funciones y podrá, para garantir el orden y la libertad en todos los actos del plebiscito, requerir de las autoridades el auxilio de la fuerza pública.

### ARTÍCULO 11

Ni la junta directiva ni las comisiones inscriptoras y receptoras podrán funcionar sino con la totalidad de los miembros que las componen. Si faltare ó se inhabilitare alguno de los miembros de las comisiones inscriptoras ó receptoras en los días en

fect that he has voted. Each day the result of the balloting shall be drawn up in an act in triplicate, each copy to be signed by all the members of the Commission, and one copy shall be kept by each member.

### ARTICLE 8

Three days after the termination of the balloting, at latest, the commission shall deliver up to the Directive Assembly of the Plebiscite the acts and other documents of the partial ballotings.

### ARTICLE 9

Six days after the termination of the balloting the Directive Assembly shall proceed to make the general count from the partial acts, in public session, and in one sole act, until the proclamation of the result.

### ARTICLE 10

The Directive Assembly shall enjoy complete independence in the exercise of its duties, and shall have the right to demand from the authorities the assistance of the public forces, for the purpose of keeping order, and of permitting complete liberty in carrying out the plebiscite.

### ARTICLE 11

Neither the Directive Assembly, nor the Commissions for the registering or reception of votes, may carry on its duties in the absence of any of the members composing it. If any member of the commissions for registering or receiving the bal-

que debería ejercer sus funciones, será reemplazado durante su impedimento por la persona que designe el representante correspondiente á la nación ó gobierno que hubiese nombrado al impedido, con excepción del comisario presidente cuyo reemplazo corresponde hacer á la junta directiva.

### Artículo 12

Si el resultado del plebiscito fuere favorable al Perú, los representantes del gobierno de Chile entregarán á la autoridad peruana los territorios de Tacna y Arica en el plazo máximo de quince días.

### Artículo 13

La aduana de Arica subvendrá á los gastos que ocasionen los actos del plebiscito en los territorios de Tacna y Arica.

### Artículo 14

El hecho de funcionar en Tarata las comisiones inscriptora y receptora de que tratan los artículos anteriores, no implica un desistimiento del Perú de la reclamación pendiente con respecto á una parte de esa región; sin que esto signifique el propósito de pretender indemnización alguna por el tiempo que Chile la ha ocupado.

lots, should be unable to be present on the days during which it should carry on its functions, he shall be replaced by a person named by the representative of the Government which had named the absent member, with the exception of the president of a commission, whose substitute shall be appointed by the Directive Commission.

### Article 12

If the result of the plebiscite be favourable to Peru, the representatives of the Government of Chile shall deliver over to the Peruvian authority the territories of Tacna and Arica within the *maximum* term of fifteen days.

### Article 13

The Arica custom-house shall furnish funds for the expenses occasioned by the carrying out of the plebiscite in the territories of Tacna and Arica.

### Article 14

The fact of the appointment of a commission to make registrations and to receive votes at Tarata, accorded in the preceding articles does not imply a renunciation on the part of Peru, as regards the pending reclaim of Peru concerning that part of the territories, nor does this imply the purpose of pretending to claim any indemnification for the period during which Chile has occupied it.

### ARTÍCULO 15

La indemnizción de diez millones de pesos prescrita por el articulo 3°. del tratado de 20 de octubre de 1883, será pagada por el país que resulte dueño de las provincias de Tacna y Arica, en esta forma: un millón dentro del término de diez días á contar desde que se proclame el resultado general del plebiscito; otro millón un año después; y dos millones al fin de cada uno de los cuatro años siguientes.

Las referidas cantidades se pagarán en soles de plata peruanos ó en moneda de plata chilena, de la que circulaba á la época en que se suscribió el tratado de 20 de octubre de 1883.

### ARTÍCULO 16

Quedan afectos al pago de la indemnización de que trata el artículo anterior los productos totales de la aduana de Arica.

### ARTÍCULO 17

Dentro del término de sesenta dias contados desde que queden canjeadas las ratificaciones de la presente convención, los representantes diplomáticos de la república del Perú y de la república de Chile cerca del gobierno de España, solicitarán conjuntamente de éste la aceptación del cargo á que se refiere el artículo 1, y el nombramiento del tercero que prescribe el artículo II.

### ARTICLE 15

The indemnity of ten million dollars, imposed by Article 3 of the Treaty of October 20th, 1883, shall be paid by the country which becomes the possessor of the provinces of Tacna and Arica in the following manner: One million within the terms of ten days, dating from the proclamation of the general results of the plebiscite; another million one year afterwards, and two millions at the end of each of the four following years.

These sums shall be paid in Peruvian silver *soles,* or in Chilian silver money, such as that in circulation at the time of the signature of the Treaty of October 20th, 1883.

### ARTICLE 16

The total sum produced by the Arica custom-house shall be subject to the payment of the indemnity referred to in the preceding article.

### ARTICLE 17

Within the term of sixty days from the date of the ratification of this present Convention, the diplomatic representatives of the Republic of Chile and of the Republic of Peru accredited to the Court of Spain, shall jointly solicit from that Government the acceptance of the office of Arbitration referred to in Art. 1, and the appointment of the delegate referred to in Article 2.

### Artículo 18

Dentro del plazo de cuarenta dias, contados desde que el árbitro acepte el cargo, cada una de las altas partes contratantes fundará su derecho en una exposición escrita que presentará por medio de su plenipotenciario para que, con ella y en vista de las disposiciónes del tratado de 20 de octubre de 1883 y de la presente convención, expida aquél su fallo.

La presente convención será ratificada por los respectivos congresos y las ratificaciones canjeadas en Santiago de Chile dentro del más breve plazo posible.

En fe de lo cual, los antedichos plenipotenciarios firmaron por duplicado la presente convención, sellándola con sus sellos respectivos.

(L. S.) Guillermo E. Billinghurst,
(L. S.) J. J. Latorre.

### Article 18

Within the term of forty days, counting from the date on which the Arbitrator accepts the office, each of the High Contracting Parties shall state its rights in a written document which shall be presented by its Ambassador, in order that a sentence may be pronounced in accordance with the provisions of the Treaty of October 20th, 1883, and those of the present Convention.

The present Convention shall be ratified by the respective Congresses and the ratifications exchanged in Santiago, Chile, in the shortest possible time.

In token of which the aforesaid Plenipotentiaries have signed the present Convention in duplicate, sealing it with their respective seals.

(L. S.) Guillermo E. Billinghurst,
(L. S.) J. J. Latorre.

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## *Treaty of Peace, Friendship, and Commerce Between Bolivia and Chile. Signed at Santiago, October* 20, 1904[1]

En ejecución del propósite consignado en el artículo 8°. del Pacto de Tregua de 4 de Abril de 1884, la República de Chile i la República de Bolivia han acordado celebrar un Tratado de Paz i Amistad, i al efecto han nombrado i constituido por sus Plenipotenciarios, a saber:

In order to carry into effect the purpose indicated in Article VIII of the Truce Convention of the 4th April, 1884, the Republic of Bolivia and the Republic of Chile have agreed to conclude a Treaty of Peace and Friendship, and have for that purpose named and constituted as their Plenipotentiaries, that is to say:

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[1] Martens, *N. R. G.*, 3d series, vol. 2, p. 174. Translation from *British and Foreign State Papers*, vol. 98, p. 763. Ratification exchanged at La Paz, March 10, 1905.

Quienes despues de haber canjeado sus Plenos Poderes i habiéndolos hallado en buena i debida forma, han convenido en lo siguiente:

Art. 1. Restablécense las relaciones de Pai i Amistad entre la República de Chile i la República de Bolivia, terminando, en consecuencia, el rejimen establecido por el Pácto de Tregua.

Art. 2. Por el presente Tratado quedan reconocidos del dominio absoluto i perpetuo de Chile los territorios ocupados por éste en virtud del articulo 2°. del Pacto de Tregua de 4 de Abril de 1884.

El límite de Sur a Norte entre Chile i Bolivia será el que se espresa a continuacion.

De la cumbre mas alta del cerro Zapaleri (1), en linea recta a la cumbre mas alta (2) del cordon desprendido hácia el Sur del cerro Guayaques, en la latitud aproximada de veintidos grados cincuenta i cuatro minutos (22° 54′); de aqui otra recta al portezuelo del Cajon (3), i en seguida la divisoria de aguas del cordon que corre hácia el Norte por las cumbres del cerro Juriques . . .[1]

. . . . .

De la cumbre de Panantalla irá en línea recta a Tolapacheta (55), a media distancia entre Chapi i Rinconada, i de este punto en línea recta al Jamachuma (67), Quimsachata (68)

[Here follow the names of plenipotentiaries.]

Who, after having exchanged their full powers, and having found them in good and due form, have agreed upon the following:

Art. 1. The relations of peace and friendship are restored between the Republic of Bolivia and the Republic of Chile, and in consequence the régime established by the Truce Convention has ceased to exist.

Art. 2. By the present Treaty is recognized the absolute and perpetual sovereignty of Chile over the territories occupied by her in virtue of Article II of the Truce Convention of the 4th April, 1884.

The boundary from south to north between Bolivia and Chile shall be as follows:

From the highest crest of the Zapaleri Hill (1) in a straight line to the highest crest (2) of the detached ridge towards the south of the Guayaques Hill, in the latitude of 22° 54′ approximately, and from here in another straight line to the Cajon Pass (3), and thence along the watershed of the ridge which extends towards the north along the crests of the Juriques Hill. . . .

. . . . .

From the crest of Panantalla it will continue in a straight line to Tolapacheta (55), half-way between Chapi and Rinconada, and from this point in a straight line to Jamachuma i Chinchillani (69), i cortando el rio Todos Santos (70) irá a los mojones de Payacollo (71) i Carahuano (72), al cerro de Canasa (73) i el cerro Capitan (74).[1]

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[1] The line here traced is that between Bolivia and Chile proper.

seguirá hácia el noroeste por el cordon que se dirije al mojon del cerro Chipe o Tolacollo (96), último punto de la frontera.

. . . . .

Art. 3. Con el fin de estrechar las relaciones politicas i comerciales de ámbas Repúblicas, las Altas Partes Contratantes convienen en unir el puerto de Arica con el Alto de La Paz por un ferrocarril cuya construccion contratará a su costa el Gobierno de Chile dentro del plazo de un año contados desde la ratificacion del presente Tratado.

. . . . .

Art. 12. Todas las cuestiones que llegaren a suscitarse con motivo de la intelijencia o ejecucion del presente Tratado, serán sometidas al arbitraje de Su Majestad el Emperador de Alemania.

Las ratificaciones de este Tratado serán canjeadas dentro del plazo de seis meses i el canje tendrá lugar en la ciudad de La Paz.

En fé de lo cual, el señor Ministro de Relaciones Esteriores de Chile i el señor Enviado Estraordinario i Ministro Plenipotenciario de Bolivia firmaron i sellaron con sus respectivos sellos, i por duplicado, el presente

(67), Quimsachata (68), and Chinchillani (69), and crossing the River Todos Santos (70) it will go to the boundary-marks of Payacollo (71), and Carahuano (72) to the Canasa Hill (73) and the Capitan Hill (74). . . . it will continue in a northwesterly direction along the ridge which leads to the boundary-mark of the Chipe or Tolacollo Hill (96), the last point of the frontier.

. . . . .

Art. 3. With the object of strengthening the political and commercial relations of both republics, the High Contracting Parties engage to unite the point of Arica with the Alto de la Paz by a railway the construction of which will be contracted by the Government of Chile within the term of one year to be reckoned from the ratification of the present Treaty.

. . . . .

Art. 12. Any difficulties that may arise with regard to the interpretation or execution of the present Treaty shall be submitted to the arbitration of His Majesty the German Emperor.

The ratifications of this Treaty shall be exchanged within the term of six months, and the exchange shall take place in the city of La Paz.

In witness whereof the Envoy Extraordinary and Minister Plenipotentiary of Bolivia and the Minister for Foreign Affairs of Chile signed and sealed in duplicate with their respective seals the present Treaty of Peace

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[1] Here the line runs between Bolivia and Tacna-Arica.

Tratado de Paz i Amistad, en la ciudad de Santiago, a los veinte dias del mes de Octubre del año mil novecientos cuatro.

EMILIO BELLO C.
A. GUTIÉRREZ.

and Friendship, in the city of Santiago, on the 20th October, 1904.

(L. S.) EMILIO BELLO C.
(L. S.) A. GUTIÉRREZ.

## *Extracts from the Notes Exchanged Between the Chancelleries of Peru and of Chile,* 1905–1908 [1]

MINISTERIO DE
RELACIONES EXTERIORES.

*Lima,* 18 *de febrero de* 1905.

SENOR MINISTRO:

En la cláusula segunda del Tratado de Paz y Amistad que acaba de celebrarse entre las Repúblicas de Chile y Bolivia se establece una demarcación completa de fronteras, en la que está comprendida, en la linea sur á norte, la de los territorios de las provincias de Arica y Tacna, y parte también de la de Tarata.

En la cláusula tercera se conviene, asimismo, en unir el puerto de Arica con el Alto de la Paz por un ferrocarril cuya construcción contratará á su costa el Gobierno de Chile, dentro del plazo de un año, contado desde la ratificación del Tratado. . . .

La demarcación de fronteras, obras y explotación de ferrocarriles, condiciones de libre tráfico mercantil, obligaciones y concesiones que puedan afectar los territorios y sus derechos señoriales, son actos de dominio en

MINISTRY OF FOREIGN
RELATIONS.

*Lima, February* 18, 1905.

MR. MINISTER:

In the second clause of the treaty of peace and friendship which has just been entered into by the Republics of Chile and Bolivia a complete delimitation of boundaries is established, including, in the line from north to south, that of the territory of the Provinces of Tacna and Arica, and also part of that of Tarata.

In the third clause it is moreover agreed to connect the port of Arica with Alto de la Paz by a railroad to be constructed at the expense of Chile within the period of one year from the ratification of the treaty. . . .

The demarcation of frontiers, construction and exploitation of railroads, conditions of free mercantile traffic, obligations and concessions which might affect the territories and their seigniorial rights, are acts of do-

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[1] Ministerio de Relaciones Exteriores de Chile, *Comunicaciones cambiadas entre las Cancillerías de Chile y el Perú y algunos antecedenies sobre la cuestión de Tacna y Arica* (1905–1910), p. 5.

ejercicio de la plena y absoluta disposición de la propiedad y soberanía, que sólo corresponden por indiscutible derecho internacional y civil al señor y dueño, y nó al poseedor y mero ocupante, que es la condición de Chile en los territorios de Tacna y Arica.

Para ello, era preciso que tales arreglos se hubieran hecho de acuerdo con el Perú, ó que estuviese resuelto en favor de Chile el plebiscito á que los sometió el Tratado de Ancón.

Ni una ni otra cosa se ha efectuado, de modo que mi Gobierno se ve obligado á declarar que el Perú no acepta ni reconoce estos compromisos en que él no ha intervenido; que no le son, por tanto, obligatorios, en ninguna forma ni tiempo, y que tampoco pueden ellos modificar la condición legal de los territorios de Tacna y Arica, respecto de los cuales el Perú continúa siendo dueño del dominio, y Chile mero ocupante y tenedor, cuyo titulo legal terminó hace diez años, en que debió haberse efectuado el plebiscito á que se refiere el Tratado de Ancón.

. . . . .

Dígnese, señor Ministro, recibir las seguridades de mi más alta y distinguida consideración.

J. Prado y Ugarteche.

Al Excmo, señor Ministro de Relaciones Exteriores de la República de Chile.

minion in the exercise of full and absolute disposition of property and sovereignty which belong by indisputable international and civil law to the lord and master, and not to the possessor, or mere occupant, which is the status of Chile in the territories of Tacna and Arica.

To make these acts binding, it was necessary that such arrangements should have been made in agreement with Peru, or that the plebiscite to which the treaty of Ancon submitted them should have resulted in favor of Chile.

Neither the one nor the other thing has occurred, so that my Government finds itself obliged to declare that Peru does not accept or recognize these arrangements in which she has had no part; that they are not, for that reason, binding in any sense, and that they can not modify the legal status of the territory of Tacna and Arica, over which Peru continues to hold dominion, Chile being merely an occupant and holder, whose legal title terminated 10 years ago when the plebiscite to which the treaty of Ancon refers should have been effected.

. . . . . .

With assurances, Mr. Minister, of my highest and most distinguished consideration.

J. Prado y Ugarteche.

To his Excellency the Minister of Foreign Relations of the Republic of Chile.

MINISTERIO DE
RELACIONES EXTERIORES

*Santiago,* 15 *de marzo de* 1905.

SENOR MINISTRO:

Se ha recibido en este Ministerio la communicación de V. E., fechada el 18 de febrero próximo pasado, en la que V. E. manifiesta que hace "expresa protesta y reserva de los derechos del Perú" por las estipulaciones contenidas en las cláusulas segunda y tercera del Tratado de Paz y Amistad de 20 de octubre de 1904, la primera de las cuales se refiere á la demarcación de fronteras entre Chile y Bolivia, y la segunda á la construcción de un ferrocarril que unirá el puerto de Arica con el Alto de la Paz.

. . . . .

Sostiene V. E. que el Pacto de Ancón reservó al Perú el dominio de Tacna y Arica, y á Chile sólo confirió una mera ocupación precaria, y refiriéndose, en seguida, á las reglas del derecho internacional y civil, agrega que Chile no puede ejecutar en dichos territorios ningún acto de dominio ó soberanía sin la aquiescencia del Perú. No es difícil demostrar que esta interpretación no se aviene ni con la letra ni con el espíritu del mencionado pacto.

En efecto, no ignora V. E. que una porción de territorio pertenece al Estado que, con título suficiente, tiene facultad para ocuparlo y someterlo á sus autoridades y leyes, y como el

MINISTRY OF FOREIGN
RELATIONS

*Santiago, March* 15, 1905.

MR. MINISTER:

There has been received in this ministry the communication of your excellency dated February 18 last, which your excellency states has for its object the making of a "formal protest and reservation of the rights of Peru" under the stipulations contained in the second and third clauses of the treaty of peace and friendship of October 20, 1904, the first of which refers to the demarcation of frontiers between Chile and Bolivia, and the second to the construction of a railroad which will unite the port of Arica with Alto de la Paz.

. . . . .

Your excellency contends that the pact of Ancon reserves to Peru dominion over Tacna and Arica and confers upon Chile only a mere precarious occupation, and, going on to refer to the rules of international and civil law, adds that Chile could not execute in said territories any act of dominion or sovereignty without the acquiescence of Peru. It is not difficult to demonstrate that this interpretation does not conform either with the letter or with the spirit of the pact mentioned.

In fact, your excellency is not unaware that a portion of territory belongs to the State which, with sufficient title, has the ability to occupy it and subdue it to its authority and

artículo tercero de dicho tratado establece que el territorio de las provincias de Tacna y Arica " continuará poseído por Chile y sujeto á la legislación y autoridades chilenas," es evidente que el Perú cedió á Chile la plena y absoluta soberanía sobre esas provincias, sin limitación alguna en cuanto á su *ejercicio* y sólo limitada en cuanto á su *duración* por el evento de que un plebiscito, que debe convocarse después de transcurridos diez años, á contar desde la ratificación de aquel Tratado, así lo declare.

El plazo de diez años que establece el Tratado de Ancón no tuvo otro objeto que asegurar á Chile un mínimum de tiempo en el ejercicio de la soberanía; pero, en manera alguna, significa que dentro de él haya debido hacerse necesariamente la consulta popular. Este punto ha sido considerado en comunicaciones anteriores que obran en poder de la Cancillería peruana. En esas comunicaciones se ha comprobado igualmente que no es imputable á Chile el retardo en la convocación del plebiscito.

" Expirado este plazo, agrega el artículo 3°., un plebiscito decidirá en votación popular, si el territorio de las provincias referidas *queda definitivamente* del dominio y soberanía de Chile, ó si continúa siendo parte del territorio peruano."

Para que ese territorio pueda quedar definitivamente bajo el dominio y soberanía de Chile, es menester que este

legislation, and as the third article of said treaty establishes that the territory of the Provinces of Tacna and Arica "will continue possessed by Chile and subject to Chilean legislation and authority" it is evident that Peru ceded to Chile complete and absolute sovereignty over these provinces, without any limitation as to its *exercise,* and limited only in its *duration* by the holding of a plebiscite, which should be called after ten years had passed, dating from the ratification of that treaty, as it states.

The period of 10 years which the treaty of Ancon establishes had no other object than to insure to Chile a minimum of time in the exercise of sovereignty; but it in no manner signifies that within that period there ought necessarily to have been a consultation of the popular will. This point has been considered in previous communications which are in the possession of the Peruvian chancellery. In those communications it has been shown likewise that the delay in calling the plebiscite is not attributable to Chile.

" At the expiration of that term," adds article 3, " a plebiscite shall, by means of a popular vote, decide whether the territory of the Provinces referred to is to *remain indefinitely* under the dominion and sovereignty of Chile, or to continue to form a part of the Peruvian territory."

In order that this territory may remain definitely under the dominion and sovereignty of Chile, it is necespaís haya ejercido y ejerza temporalmente dichos derechos. La palabra *continúa* que V. E. subraya en su comunicación, no se refiere á la situación anterior al Tratado sino á la que pueda sobrevenir después de convocado el plebiscito, ya que, de otro modo, existiría una contradicción en los términos del artículo tercero, en la cual no han podido incurrir los que lo redactaron.

Los derechos de Chile y del Perú con respecto á las provincias de Tacna y Arica, tales como se encuentran definidos en el Tratado de Ancón, son, pues, bien diferentes: el de Chile es actual y pleno, pero nó definitivo; el del Perú es meramente eventual.

El alcance que mi Gobierno da al artículo 3°. del Tratado de Ancón cuenta en su apoyo no sólo los términos esplícitos de éste, sino también las declaraciones recientes que ha hecho el Gobierno de V. E. á un Estado amigo.

El artículo segundo del Tratado de delimitación de fronteras celebrado entre el Perú y Bolivia el 23 de septiembre de 1902 y ratificado el 30 de enero de 1904, que tan oportunamente transcribe V. E. en la nota que contesto, dice así:

" Las Altas Partes Contratantes convienen en proceder, conforme á las estipulaciones del presente Tratado, á la demarcación de la línea que separa las provincias de Tacna y Arica de la Boliviana de Carangas, *inmediata-*

sary that this country should have temporarily exercised and enforced said rights. The word *continue,* which your excellency underscores in your communication, does not refer to the situation prior to the treaty but to that which might come to pass after calling the plebiscite. Otherwise there would exist a contradiction in the terms of the third article into which those who edited it could not have fallen.

The rights of Chile and Peru with respect to the Provinces of Tacna and Arica, such as are defined in the treaty of Ancon, are, then, quite different; those of Chile are actual and plenary, but not definite; those of Peru are merely fortuitous.

The weight which my Government gives to Article 3 of the treaty of Ancon takes into account not only its explicit terms but also the recent declarations which the Government of your excellency has made to a friendly State.

The second article of the treaty of delimitation of boundaries celebrated between Peru and Bolivia the 23d of September, 1902, and ratified the 30th of September, 1904, which your excellency so opportunely transcribes in the note I am replying to, speaks thus:

" The high contracting parties agree equally in proceeding according to the stipulations of the present treaty to the demarcation of the line which separates the Provinces of Tacna and Arica from the Bolivian *mente después que esas vuelvan á estar bajo la soberanía del Perú.*"

El Gobierno de V. E. reconoce, por lo tanto, expresamente, en este Tratado, que las provincias de Tacna y Arica no están actualmente bajo la soberanía del Perú, lo que importa reconocer, en forma implícita, que ésta es ejercida por Chile. Y, si se considera el conjunto de derechos que la soberanía territorial lleva consigo, comprenderá V. E. que la protesta que formula no se encuentra de acuerdo con un reconocimiento tan categórico como espontáneo.

Es verdad que V. E. sostiene en varias partes de su comunicación que el Perú ha conservado el dominio de aquellos territorios, que " continúa siendo dueño del dominio " en ellos. Pero V. E. no ignora, sin duda, que la doctrina tradicional del dominio ó propiedad que ejerce un Estado sobre el territorio sometido á su jurisdicción, tiende á desaparecer en absoluto del derecho internacional moderno, y que sólo se aplica, sin contradicción, en el Derecho Civil, que no rige las relaciones entre los Estados. Por otra parte, aún dentro de aquella doctrina, es bien sabido " que á la soberanía territorial pertenece exclusivamente el dominio en toda la extensión de sus poses y que sólo, desde este punto de vista y no considerando sino la situación internacional del Estado, puede decirse que él es propietario de su territorio."

line of Carangas, *immediately after these are again under the sovereignty of Peru.*"

Your excellency's Government recognizes, for the same reason, expressly, in this treaty that the Provinces of Tacna and Arica are not actually under the sovereignty of Peru, and, what it is important to recognize in implicit form, that this sovereignty is exercised by Chile. If therefore the united rights which territorial sovereignty carries with it are considered, your excellency will understand that the protest which you formulate is not in accord with a recognition as categorical as it is spontaneous.

It is true that your excellency contends in various parts of your communication that Peru has conserved the dominion of those territories, and that it " continues to hold dominion over them." But your excellency is doubtless not unaware that the traditional doctrine of dominion or propriety which a State exercises over the territory subject to its jurisdiction tends to disappear absolutely from modern international law, and that it applies only in civil law, which does not govern relations between States. On the other hand, even within that doctrine, it is well known " that to territorial sovereignty belongs exclusively dominion over the whole extension of its possessions and that only from this point of view and considering alone the international situation of the State can it be said that it is the proprietor of its territory."

La convención celebrada entre Perú y Bolivia demuestra, además, que esta última República ha tomado en cuenta la situación internacional de Tacna y Arica al celebrar dos tratados relativos á la delimitación de su frontera: uno con Chile, el país que actualmente ejerce soberanía y dominio en esos territorios, y el otro con el Perú, que tiene tan sólo una mera expectativa de ejercerlos. En el tratado celebrado con Chile, se estipula el límite que los dos países *fijan entre sí* en las provincias de Tacna y Arica; en el celebrado con el Perú, se declara que ambos países fijarán de común acuerdo ese límite, en el caso de que dichas provincias vuelvan á la soberanía del Perú. Las expectativas del Perú están, pues, cuidadosamente contempladas en dichos tratados.

También ha estimado V. E. oportuno llamar la atención de este Gobierno al hecho de que "no hay precedente en la historia de las relaciones políticas entre las naciones, de un territorio sometido á plebiscito por tratado público y obligatorio entre dos países, que permanezcan, sin embargo, de hecho, en poder de uno de ellos, después de vencido el término que se fijó para que se expresara la voluntad popular que debe decidir de su suerte definitiva."

Es casi excusado que manifieste á V. E., que los precedentes que invoca en el párrafo transcripto, no pueden existir, porque todos los plebiscitos internacionales habidos en los dos úl-

The convention celebrated between Peru and Bolivia shows, besides, that the latter Republic has taken into account the international situation of Tacna and Arica in celebrating two treaties relative to the delimitation of their boundary; one with Chile, the country which actually exercises sovereignty and dominion in those territories, and the other with Peru, which has only a mere prospect of exercising them. In the treaty celebrated with Chile the boundary which the two countries shall fix between themselves in the Provinces of Tacna and Arica is stipulated; in that celebrated with Peru, it is declared that both countries shall fix, by common agreement, that boundary in case said Provinces return to the sovereignty of Peru. The prospects of Peru, are, then, carefully contemplated in said treaties.

Your excellency has also esteemed it opportune to call the attention of this Government to the fact "that history of political relations between nations furnishes no precedent for a territory submitted by a public and binding treaty between two countries to a plebiscite which remained, nevertheless, in the power of one of them after the expiration of the time fixed for the expression of the popular will which should definitely decide its fate."

It is scarcely permissible that I should set forth to your excellency that the precedents which you invoke in this paragraph do not exist, because all the international plebiscites

timos siglos no han sido sino un medio ideado, ó para sancionar una anexión ya hecha, como los que se verificaron en la época de la revolución francesa, ó para atenuar una anexión ó una cesión acordada de antemano, como los que han tenido lugar en el siglo XIX. El resultado, como consecuencia natural, ha sido siempre favorable al país anexante, que no vió jamás en ellos una discusión de sus derechos sino tan sólo una mera formalidad.

No está fuera de lugar recordar á V. E. que el Tratado de Praga, de 23 de agosto de 1866, celebrado entre la Prusia y el Austria, estipuló el plebiscito en favor de la población danesa del Schlewig, ocupado por la Prusia; pero esa estipulación quedó sin efecto por convención posterior, porque el Gobierno austriaco, apreciando los acontecimientos, no como él y la población danesa lo deseaban, sino en conformidad á la realidad de las cosas, reconoció la anexión de esa porción de territorio á la Prusia como un hecho consumado.

La conclusión que claramente se desprende de los precedentes diplomáticos sobre plebiscitos, es que su estipulación nunca ha tenido otro objeto que el de llegar, en forma respetuosa del sentimiento nacional, á una cesión ó anexión de territorio.

No ignora, además, V. E. que la diplomacia moderna ha ideado otros procedimientos para encubrir cesiones ó anexiones territoriales. Dentro de

held within the last two centuries have been but hypothetical measures or for the purpose of sanctioning an annexation already made, as those called during the French Revolution, or to attenuate an annexation or cession already made, as those which have taken place in the nineteenth century. The result, as a natural consequence, has always been favorable to the annexing country, which never yet saw in these plebiscites any discussion of its rights but only a mere formality.

It is not out of place to remind your Excellency that the treaty of Prague, celebrated between Prussia and Austria on August 23, 1866, stipulated a plebiscite in favor of the Danish population of Schleswig, occupied by Prussia; but this stipulation remained without effect according to subsequent arrangement, because the Austrian Government, appreciating the situation, and not because they or the Danish population wished it, but in conformity with the reality of things, recognized the annexation of that portion of territory to Prussia as an act consummated.

The conclusion which may be clearly drawn from the diplomatic precedents on plebiscites is that their stipulation has never had other object than to bring about, in a form respectful to national sentiment, a cession or annexation of territory.

Moreover, your excellency is not unaware that modern diplomacy has conceived other methods for covering territorial annexations or cessions.

los límites que debe tener esta respuesta no será posible hacer un análisis de esos procedimientos, ni pasar en revista los numerosos casos en que se han aplicado.

Con todo, no está demás recordar que limitados aparentemente algunos de ellos á la simple ocupación y administración de un territorio, se ha considerado que importaban en el hecho una cesión que ha autorizado al Estado ocupante para ejercer en aquél los derechos inherentes al dominio y soberanía.

No pretendo, por cierto, equiparar estos casos á la stiuación que existe en el territorio de Tacna y Arica, respecto del cual hay un Tratado que confiere expresamente á Chile la soberanía plena y absoluta en cuanto á su ejercicio y sólo limitada por el evento de una condición.

Estos hechos y antecedentes justifican la declaración que hago á V. E. de que el Gobierno de Chile no acepta que el del Perú le desconozca el indiscutible derecho que tiene para ejecutar actos de dominio y soberanía en las provincias de Tacna y Arica y para considerarlas como parte integrante del territorio chileno, mientras un plebiscito, que aun no ha podido convocarse por circunstancias que esta Cancillería ha tenido ya ocasión de analizar y exponer al Gobierno de V. E., no decida si las expresadas provincias se reincorporarán ó nó al territorio del Perú. Chile puede ahora cumplir, y cumplirá aún más que en el pasado, con el deber de dar á esas provincias

Within the limits of this communication an analysis of these procedures would not be possible, nor would it be possible to review the numerous cases in which they have applied.

Nevertheless, it is not too much to bring to mind that in some of these cases, where the cession was apparently limited to the simple occupation and administration of territory, it has been considered that there was implied a cession which has authorized the occupying State to exercise the rights inherent in dominion and sovereignty.

I do not assume, certainly, to place these cases on a parallel with the situation which exists in the territory of Tacna and Arica, respecting which there is a treaty conferring expressly upon Chile complete and absolute sovereignty as regards their exercise, and limited only by an eventuality.

These facts and precedents justify the declaration which I made to your excellency that the Government of Chile refuses to admit that the Government of Peru is unaware of its indisputable right to exercise dominion and sovereignty in the Provinces of Tacna and Arica pending the decision of a plebiscite, not even yet called by reason of circumstances which the chancellery has already had occasion to analyze and reveal to the Government of your excellency, as to whether these Provinces shall be reincorporated or not in the territory of Peru. Chile can now fulfill, and will fulfill even more than in the past, the duty of giving these Provinces

la mayor suma de bienestar material y moral, y de implantar en ellas todas las medidas de orden y progreso que sean necesarias para afianzar la unidad de sentimientos é intereses que le permitan, dentro de las solemnes disposiciones del Tratado de Ancón y sin vulnerar ni violentar las expectativas del Perú, adquirir definitivamente el dominio y soberanía de Tacna y Arica.

. . . . .

Dígnese, señor Ministro, recibir las seguridades de mi más alta y distinguida consideración.

LUIS A. VERGARA.

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MINISTERIO DE
RELACIONES EXTERIORES

*Lima, 25 de abril de* 1905.

SENOR MINISTRO:

El señor Secretario de la Legación de Chile ha entregado á este Despacho la nota de V. E., de 15 de marzo último.

V. E. reconoce en ella que las estipulaciones del Tratado de Paz y Amistad celebrado por Chile con Bolivia en 20 de octubre de 1904, que ha motivado la nota de protesta de mi Gobierno, de 18 de febrero próximo pasado, no pueden obligar ni afectar al Perú por los derechos que, conforme al Tratado de Ancón, mantiene sobre las provincias de Tacna y Arica; pero, á la vez, ha creído conveniente V. E. aducir diversas consideraciones encaminadas á probar que en dichas provincias ejerce Chile soberanía y

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the largest measure of material and moral well-being, and of implanting in them all the means of order and progress which may be necessary to guarantee the unity of sentiment and interest which permit her, under the solemn dispositions of the treaty of Ancon and without changing or violating the prospects of Peru, to acquire definitely the dominion and sovereignty over Tacna and Arica.

. . . . .

With assurances, Mr. Minister, of my highest and most distinguished consideration.

LUIS A. VERGARA.

To His Excellency the Minister of Foreign Relations of Peru.

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MINISTRY OF FOREIGN
RELATIONS

*Lima, April* 25, 1905.

MR. MINISTER:

The secretary of the legation of Chile has delivered to this office the note of your excellency of March 15, last.

Your excellency recognizes in it that the stipulations of the treaty of peace and friendship celebrated between Chile and Bolivia October 20, 1904, giving rise to the note of protest of my Government of February 18, last, do not bind or affect Peru in those rights which, according to the treaty of Ancon, she maintains over the Provinces of Tacna and Arica; but, at the same time, your excellency has believed it fitting to adduce diverse considerations to prove that in said Provinces Chile exercises

dominio temporales; sosteniendo así teorías que están en desacuerdo con la letra y el espíritu del Tratado de Ancón, y con los principios fundamentales del Derecho Internacional.

Por su propia naturaleza, la soberanía, que es la facultad suprema de los pueblos para constituirse, gobernarse y proceder libre é independientemente, y el dominio, que es el derecho, asimismo, de libre y absoluta disposición de la propiedad, representando ambos la plenitud de la nacionalidad, del Gobierno político y de los derechos territoriales, son incompatibles con una situación provisional, precaria, por tiempo fijo, á cuyo vencimiento, conforme á un pacto internacional, debe decidirse de la soberanía y del dominio que se pretenden.

. . . . . .

Hay ejemplos de limitación en la amplitud de los derechos de soberanía y dominio, como en la antigua ficción de los Estados semi-soberanos, y en la condición de los Estados y territorios protegidos y tributarios; pero no pueden darse una soberanía y un dominio plenos y absolutos por tiempo limitado y en condición aleatoria, pues el carácter de firmeza y los efectos de perpetuidad constituyen atributos esenciales de aquellos derechos, cuya subsistencia y ejercicios son inconciliables con un Estado en el que la nacionalidad, á la que corresponde la soberanía, y la personalidad del dueño, al que pertenece el dominio, se encuentran sometidos al resultado de un plebiscito por efectuarse.

temporary dominion and sovereignty, sustaining thus theories which are in disagreement with the letter and the spirit of the treaty of Ancon, and with the fundamental principles of international law.

By its own nature, sovereignty, which is the supreme faculty of peoples to establish and govern themselves and proceed free and independent; and dominion, which is the right likewise of free and absolute disposition of property, representing together the fullness of nationality, of political government, and of territorial rights, are incompatible with a provisional status, precarious, for a fixed time, at whose expiration, in accordance with an international pact, sovereignty and dominion shall be determined.

. . . . . .

There are examples of limitation in the amplitude of the rights of sovereignty and dominion, as in the ancient fiction of semisovereign States, and in the condition of protected and tributary States; but absolute sovereignty and dominion can not be given for a limited time and in uncertain status, since the character of firmness and the effects of perpetuity constitute essential attributes of those rights, whose subsistence and exercise are irreconcilable with a State in which the nationality, to which corresponds sovereignty, and the personality of the owner, to which pertains dominion, are subject to the result of a projected plebiscite.

Tampoco es sostenible, ante el Derecho Público, que la soberanía y el dominio puedan adquirirse, aparte de los casos de fuerza, sin cesión del soberano y dueño de los territorios.

. . . . .

V. E. insinúa la idea de que en el Tratado de Ancón no se fijó perentoriamente la fecha en que debía efectuarse el plebiscito; pero no cabe duda sobre que en él se halla estipulado que el plebiscito debía realizarse al vencimiento de los diez años de la ocupación, ó sea el 28 de marzo de 1884, sin que materialmente fuera preciso indicar esta fecha, pues ella quedaba justamente determinada señalándola por años, que comenzaban á contarse, dice ese pacto, desde que él fuese ratificado.

. . . . .

En las negociaciones de paz entre Chile y el Perú que precedieron al Tratado de Ancón, aquél exigió, además de la cesión de Tarapacá — cuya importancia y riqueza ha superado á todos sus cálculos — una indemnización en dinero de veinte millones de pesos, que no fué aceptada por el Perú.

Los negociadores chilenos propusieron entonces la de compensarla por la venta y cesión de los territorios de las provincias de Tacna y Arica, á lo que también se negaron absolutamente los negociadores peruanos.

Como resultado final, y sin ninguna otra inteligencia al respecto, se llegó á convenir en la estipulación del Tratado de Ancón por la que continuaban dichos territorios en posesión de Chile

Neither can it be sustained, before public law, that sovereignty and dominion can be acquired, except in cases where force is employed, without cession from the sovereign and owner of the territory.

. . . . .

Your excellency insinuates that in the treaty of Ancon the date of the plebiscite is not definitely fixed; but there is no doubt but that in the treaty it is stipulated that the plebiscite shall be held at the expiration of 10 years from the occupation, or March 28, 1884, it not being material to indicate the date, since it is exactly determined, commencing, says the agreement, with the ratification of the treaty.

. . . . .

In the peace negotiations between Chile and Peru which preceded the treaty of Ancon, Chile demanded, besides the cession of Tarapaca — whose importance and riches had surpassed all calculations — an indemnity in money of 20,000,000 pesos, which was not accepted by Peru.

The Chilean negotiators then proposed to compensate her by the sale and cession of the territory of the Provinces of Tacna and Arica, to which also the Peruvian negotiators refused absolutely to assent.

As a final result, and without any other intelligence respecting it, an agreement was reached in the stipulation of the treaty of Ancon for the continuation of said territories in the

durante diez años, á cuyo vencimiento se celebraía un plebiscito para resolver, en votación popular, acerca de su soberanía y dominio definitivos, con la obligación de pagar el país en cuyo favor se decida el plebiscito, diez millones de pesos á la otra Parte Contratante.

Estos son los verdaderos antecedentes de aquelles negociaciones, los cuales se hallan ampliamente confirmados en la Memoria presentada por la Cancillería chilena al Congreso Nacional en 1883, documento de fuerza y valor auténtico para V. E., y en el que, al someter el Tratado á la aprobación del Congreso de Chile, se hace la historia detallada de dichas negociaciones, terminando con estas palabras:

" Si el resultado del plebiscito volviera la región de Tacna y Arica al dominio del Perú, cumpliría á la política leal y honrada de Chile acatar el fallo de aquellos pueblos, limitándose á recibir una compensación pecuniaria de diez millones de pesos que, unida á la renta que nos habría procurado anticipadamente la ocupación de esos territorios durante diez años, excedería, sin duda alguna, á la que habíamos reclamado á este mismo título en las bases propuestas en 1881 y 1882."

. . . . .

Al Gobierno de mi país le es muy grato aceptar la invitación de V. E., con el objeto de negociar la ejecución del Tratado de Ancón respecto de las provincias de Tacna y Arica; hallándose al mismo tiempo, convencido que

possession of Chile for 10 years, at the expiration of which a plebiscite would be held to determine by popular vote, the definite sovereignty and dominion, with the obligation by the country in whose favor it may be decided to pay 10,000,000 pesos to the other contracting party.

These are the true antecedents of those negotiations, and are amply confirmed in the memorial presented by the Chilean chancellery to the National Congress in 1883, a document of force and authentic worth for your excellency, in which, on submitting the treaty to the approbation of the Chilean Congress, was given the detailed history of said negotiations, ending with these words:

" If the result of the plebiscite shall return the region of Tacna and Arica to the dominion of Peru, Chile will loyally and honorably respect the decision of those peoples, limiting herself to receiving a pecuniary compensation of 10,000,000 pesos, which, added to the revenue we would have procured anticipating the occupation of those territories for 10 years, would exceed, without doubt, what we claimed on the basis proposed in 1881 and 1882."

. . . . .

It is very pleasing to the Government of my country to accept the invitation of your excellency, with the object of negotiating the execution of the treaty of Ancon respecting the Provinces of Tacna and Arica, it be-

nada contribuirá más á afianzar las cordiales relaciones que me expresa V. E. deben unir á los pueblos americanos para la realización de sus solidarios destinos, que el fiel cumplimiento de sus compromisos internacionales y las vinculaciones de sus recíprocos intereses.

Dígnese V. E. aceptar, una vez más, las seguridades de mi alta y distinguida consideración.

J. Prado y Ugarteche.

Al Excmo. señor Ministro de Relaciones Exteriores de la República de Chile.— Santiago.

*Confidencial*

MINISTERIO DE
RELACIONES EXTERIORES

*Santiago, 25 de marzo de* 1908.

Senor Ministro:

En la primera entrevista que V. E. celebró con el infrascripto, se sirvió formular el deseo de abordar desde luego la solución del problema sobre la nacionalidad definitiva de Tacna y Arica, según las disposiciones del Tratado de Paz firmado en Ancón.

. . . . .

Tuve, en esa virtud, el honor de proponer á V. E. un plan de negociaciones que consta de varios proyectos de Convenio y cuya ejecución satisfaría, á juicio de mi Gobierno, los recíprocos anhelos de concordia que predominan en ambas Repúblicas.

. . . . .

ing at the same time convinced that nothing will contribute more toward binding the cordial relations which your excellency states should unite American peoples for the realization of their united destiny than the faithful fulfillment of international agreements and the ties of reciprocal interests.

Please accept once more the assurances of my high and distinguished consideration.

J. Prado y Ugarteche.

To His Excellency The Minister of Foreign Affairs — Santiago.

*Confidential*

MINISTRY OF FOREIGN
RELATIONS

*Santiago, March* 25, 1908.

Mr. Minister:

The first interview which your excellency held with the undersigned served to formulate the desire of taking up immediately the solution of the problem concerning the definite nationality of Tacna and Arica, according to the dispositions of the treaty of peace signed in Ancon.

. . . . .

I had, as regards this, the honor to propose to your excellency a plan of negotiation which consists of various projects of agreement and whose execution would, in the judgment of my Government, satisfy the reciprocal desires for peace which predominate in both Republics.

. . . . .

La negociación de conjunto que he tenido el honor de bosquejar á V. E. abarca las materias siguientes:

1°. Ajuste de una Convención Comercial que conceda liberación ó franquicias aduaneras á ciertos y determinados productos de cada uno de los dos países, que son de consumo en el otro.

2°. Celebración de un Convenio para el fomento de la marina mercante y para el establecimiento de una línea de navegación á vapor costeada ó subvencionada por los dos Gobiernos, con el objeto de desarrollar el comercio de sus costas.

3°. Asociación de los dos países para realizar con sus recursos y su crédito la obra de unir por ferrocarril las capitales de Santiago y Lima.

4°. Ajuste del Protocolo que ha de establecer la forma del plebiscito estipulado para la determinación de la nacionalidad definitiva de Tacna y Arica.

5°. Convenio para elevar el monto de la indemnización que debe dar al otro país aquel que adquiera la soberanía definitiva de ese territorio.

. . . . . .

Bien sabe V. E. que el Tratado de 1883 al entregar á la resolución de un plebiscito la determinación de la nacionalidad definitiva de Tacna y Arica, no expresó qué era lo que debiera entenderse por dicho plebiscito, ni fijó tampoco el modo y forma de su ejecución. Razonablemente, tales omisiones no pueden atribuirse á olvido

The joint negotiations which I have the honor to outline to your excellency embrace the following matters:

1. Arrange a commercial convention which shall grant exemption from customs to certain stated products of each country that are of use in the other.

2. Celebration of an agreement for the promotion of the merchant marine and for the establishment of a line of steamers at the expense or by the subvention of the two Governments, with the object of developing a coast trade.

3. Association of the two countries for the realization of their resources and their credit in joining the capitals of Santiago and Lima by railway.

4. Arrangement of the protocol for establishing the form of plebiscite stipulated for the determination of the definite nationality of Tacna and Arica.

5. Arrangement to raise the amount of indemnity which the country acquiring definite sovereignty over this territory shall give to the other.

. . . . . .

Your excellency knows well that the treaty of 1883 on leaving to be determined by plebiscite the definite nationality of Tacna and Arica did not express what was to be understood by said plebiscite, nor did it fix the forms and manner of its execution. Naturally such omissions can not be attributed to forgetfulness on the

de parte de los negociadores, sino á un reconocimiento implícito de que el procedimiento pactado no podía ser otro que el de los plebiscitos incorporados en la Historia del Derecho Internacional.

Mi Gobierno, con todo, deseoso ahora, como antes, de arribar á una solución amigable, estaría dispuesto á no hacer valer estrictamente los derechos que le acuerdan el espíritu y la letra de la cláusula 3ª. del Tratado de Ancón y á no mantenerse tampoco exactamente en el terreno en que los publicistas y los precedentes diplomáticos colocan los pactos plebiscitarios siempre que por su parte el Perú facilitara el avenimiento, renunciando pretensiones extremas que lo frustrarían indudablemente.

No escapará al ilustrado criterio de V. E. que el derecho de voto no tiene en este caso el objeto y la significación que la Constitución y las Leyes internas de cada Estado atribuyen al sufragio político. Su carácter es eminentemente internacional, como que se trata de determinar á cuál país corresponde la soberanía definitiva sobre una porción de territorio. No hay duda, entonces, de que deben ser llamados á ejercitar el derecho de sufragio plebiscitario todos los habitantes hábiles del territorio: no sólo los nacionales de uno y otro país interesado que hayan constituído domicilio en el territorio y que estén libres de toda inhabilidad ó incapacidad, sino también los residentes extranjeros que se hallen en iguales condiciones.

En el plebiscito debe ser consultada

part of the negotiators, but to an implicit recognition that the procedure agreed upon could not be other than that of the plebiscites incorporated in the History of International Law.

My Government, then, now desirous as before, of arriving at a friendly solution, would not be disposed to hold strictly to the rights which are accorded to it in the letter and the spirit of clause 3 of the treaty of Ancon nor to maintain itself exactly in the field in which publicists and diplomatic precedents place plebiscites, if on her part Peru will facilitate the arrangement and renounce her extreme pretensions, which will undoubtedly frustrate any solution.

It will not escape the intelligent judgment of your excellency that the right to vote has not in this case the purpose and significance which the constitution and the internal laws of each State attribute to the political suffrage. Its character is eminently international, as it treats of the determination as to which country belongs definite sovereignty over a portion of territory. There is no doubt, then, that there ought to be called to exercise the rights of suffrage all the able inhabitants of the territory; not only the nationals of the one or the other country interested who have established residence in the territory and are free from all unfitness or incapacity, but also the foreign residents who are in a similar status.

In the plebiscite the will of the for-la voluntad de los extranjeros tanto porque su derecho ha sido implícitamente reconocido en el Tratado al emplear la fórmula de " votación popular," cuanto porque no es equitativo ni razonable privarlos de participación en una consulta sobre la suerte de la tierra donde han radicado sus intereses, donde han constituído su familia y á cuya prosperidad contribuyen en parte muy principal con labor fecunda y perseverante.

Mi Gobierno entiende asimismo, que por el hecho de estar ejerciendo la soberanía en Tacna y Arica es de su exclusiva incumbencia la designación del personal que debe presidir el acto plebiscitario, ya en la inscripción de los electores, ya en la recepción de los sufragios, ya en la proclamación del escrutinio.

Y con este motivo me es grato reiterar á V. E. las seguridades mas absolutas de la resolución que tiene mi Gobierno de adoptar las medidas y formalidades más adecuadas para que la consulta popular no motive la menor desconfianza de parte del de V. E. y para que su resultado no deje margen á recriminaciones de ninguna especie.

Entrando un poco en los detalles que son para V. E. materia de preocupación, puedo anticipar á V. E. que no veo inconveniente para que nuestras autoridades, al constituir las mesas electorales, den representación en ellas á ciudadanos de nacionalidad peruana y á ciudadanos de otras nacionalidades.

eigners should be consulted as much because their right has been implicitly recognized in the treaty in employing the formula " popular vote " as because it is not equitable or reasonable to deprive them of participation in a consultation over the fate of the country where their interests are rooted, where they have established their family, and to whose prosperity they contribute in large part with fruitful and persevering labor.

My Government understands also that by the fact of exercising sovereignty in Tacna and Arica it devolves upon it exclusively to designate the personnel which ought to preside in holding the plebiscite, whether in the reception of voters or in the scrutiny of the ballots.

And with this motive it gives me pleasure to repeat to your excellency the most absolute assurances of the resolution which my Government has of adopting the means and formalities most adequate for the elimination of any cause for the least lack of confidence on the part of your excellency in order that the result may leave no margin for recriminations of any kind.

Entering a little into the details which are for your excellency a matter of preoccupation, I can say that it does not appear to me unfitting that our authorities, in constituting the electoral board, should give representation on it to citizens of Peruvian nationality and of other nationalities.

El proyecto de Convenio que he tenido el honor de proponer á V. E. bajo el número 5⁰., estipularía un aumento de la suma de dinero que debe pagar al otro estado, en calidad de indemnización, aquel que resulte favorecido por el fallo plebiscitario.

El infrascripto estima que este sería otro de los medios más eficaces para conseguir su propósito dominante de que la solución de este problema deje las menos asperezas posibles.

El monto de esta suma podría fijarse entre dos y tres millones de libras esterlinas.

. . . . .

Aprovecho esta ocasión para renovar á V. E. las seguridades de mi más distinguida consideración.

(Firmado) F. Puga Borne.

Excmo. Señor Don Guillermo A. Seoane, Enviado Extraordinario y Ministro Plenipotenciario del Perú en Chile.

LEGACIÓN DEL PERU EN CHILE

*Santiago, á* 8 *de mayo de* 1908.

Senor Ministro:

Tengo á honra contestar, conforforme á las instrucciones recibidas de mi Gobierno, la atenta comunicación de V. E. fecha 25 de marzo último.

. . . . .

En nada se relaciona este último, de carácter meramente político, con el comercio, la marina mercante y

The project of agreement which I have the honor to propose to your excellency under No. 5 would stipulate an increase in the sum of money which ought to be paid to the other State, in the character of an indemnity, by the State in whose favor the plebiscite may result.

The undersigned considers that this would be one of the two most effective means of attaining his dominant purpose, which is the solution of this problem with the least possible friction.

The amount of this sum could be fixed between two and three millions of pounds sterling.

. . . . .

I take this occasion to renew to your excellency the assurances of my most distinguished consideration.

(Signed) F. Puga Borne.

To His Excellency Dr. William A. Seoane, Envoy Extraordinary and Minister Plenipotentiary of Peru in Chile.

LEGATION OF PERU IN CHILE

*Santiago, May* 8, 1908.

Mr. Minister:

I have the honor to reply, according to the instructions received from my Government, to the communication of your excellency of March 25 last.

. . . . .

The plebiscite, being entirely of a political character, has no relation with commerce, with merchant ma-línea de navegación, el ferrocarril, ni aún con la indemnización.

Esos puntos entre sí inconexos é independientes del Tratado de Ancón pueden negaciarse aparte, y recibirán la preferente atención de mi Gobierno, después de ejecutarse el Protocolo plebiscitario; esto es, cuando quede eliminado de las relaciones del Perú y Chile el problema de Tacna y Arica cuya subsistencia por referirse al cumplimiento de un Pacto solemne, no se aviene con la celebración de otros tratados.

. . . . .

En ocasión solemne tuve la honra de manifestar que, á pesar del tiempo recorrido, en las nombradas poblaciones se conserva y se transmite, tan vehemente como en las épocas de sacrificio y gloria, el sentimiento de la nacionalidad, á cuyos anhelos corresponden con todos los suyos las demás secciones de la Patria Peruana.

. . . . .

A causa de tales consideraciones . . . expresé en nuestra primera entrevista . . . que para mi Gobierno la cuestión plebiscitariá es de tal importancia, que ante ella todas las otras aparecen en término secundario; . . . y ruego á V. E. que se avenga al aplazamiento, para después de pactadas tales formalidades de los demás puntos aglobados de cuyo examen por ahora prescindo.

Debo exceptuar, sin embargo, el referente al monto de la indemnización que ha de oblar al otro país aquel que adquiera la soberanía definitiva en los

rine or steamship lines, with railways, or even with an indemnity.

These points, in themselves unconnected and independent of the treaty of Ancon, can be negotiated apart, and will receive special attention from my Government after the execution of the plebiscite protocol; that is, when there can be eliminated from the relations of Peru and Chile the problem of Tacna and Arica, whose subsistence, by being referred to the fulfillment of a solemn pact, is not susceptible of union in the celebration of other treaties.

. . . . .

On a solemn occasion I had the honor of setting forth that, in spite of the time elapsed, in said districts there exists and is transmitted, as strong as in the epochs of sacrifice and glory, the sentiment of nationality, to whose ardor corresponds that of the other sections of the Peruvian fatherland.

. . . . .

It is for considerations such as these, . . . that I expressed in our first interview, . . . that for my Government the question of the plebiscite is of such importance that before it all others appear of second rank; . . . I beseech your excellency that you be reconciled to settling later such formalities concerning the other points, whose consideration for the present I lay aside.

I ought to except, nevertheless, the reference to the amount of the indemnity which the country acquiring definite sovereignty in the territories territorios; monto que, en vez de los diez millones de soles, eleva V. E. á dos ó tres millones de libras esterlinas, ó sea al doble ó triple de lo estipulado en el Tratado de Ancón.

A este respecto, cúmpleme hacer á V. E. una observación fundamental. Las gestiones que mi Gobierno me ha encomendado ante el de V. E., tienen por objeto el cumplimiento, no la modificación, del artículo III del Tratado de Paz, de 20 de octubre de 1883.

. . . . .

Como he tenido la honra de declararlo á V. E., mi Gobierno sólo saldría de las disposiciones del pacto de Ancón, para asegurar la reincorporación inmediata y definitiva de las provincias peruanas de Tacna y Arica al territorio nacional.

El Perú confía en que le será favorable el plebiscito actuado conforme á los preceptos de su institución jurídica, y creo, dígnese V. E. disculpar mi franqueza, que también existe en Chile acerca de ese desenlace la convicción ya revelada por alguno de sus Estadistas conspicuos, al confesar la esterilidad durante casi un cuarto de siglo de la obra afanosa de "chilenización."— En caso contrario no habrían muchos de los predecesores de V. E. prorrogado de hecho el procedimiento con indicaciones inaceptables, ni tampoco tuviera V. E. á bien proponer espontáneamente tal aumento.

shall give to the other, an amount which, in place of 10,000,000 soles, your excellency would raise to two or three million pounds sterling, or double or triple the sum laid down in the treaty of Ancon.

In this respect, it becomes me to make to your excellency a fundamental observation. The steps which my Government has authorized me to place before your excellency have for their object the fulfillment, not the modification, of Article III of the treaty of peace of October 20, 1883.

. . . . .

As I had the honor of declaring to your excellency, my Government would consent to a variation from the dispositions of the pact of Ancon only to insure the immediate and definite reincorporation of the Peruvian Provinces of Tacna and Arica into the national territory.

Peru has confidence that the plebiscite would result favorably to her if carried out according to the legal precepts governing such institutions, and I believe, if your excellency will excuse my frankness, that there also exists in Chile concerning this result the conviction already revealed by some of her conspicuous statesmen, who confess the futility of almost a quarter of a century of arduous work in "Chilenization." If it were not so, not many of your excellency's predecessors would have postponed the procedure by interposing unacceptable conditions, and neither would your excellency have sponta-

Al país con fe en el triunfo, no le conviene en efecto un gravamen pecuniario superior al oportunamente pactado.

. . . . .

## I

Supone V. E. que según los precedentes modernos, el plebiscito incorporado en la Historia del Derecho Internacional, constituye una fórmula de cesión simulada.

Esa objeción, argüida verbalmente por V. E., novísima en las múltiples conferencias desde atrás originadas por la cláusula tercera del Tratado de Ancón.

En la legislación antigua, el elemento sustancial y característico del plebiscito consiste en la voluntad popular, como expresion de la soberanía.

A la luz del principio de libertad, la Revolución Francesa de 1789 condenó la conquista impuesta por las armas y restableció aquella práctica democrática como base única justificativa para las mutaciones en la existencia de los Estados.

Así transportados al campo internacional, los plebiscitos, ya á favor de Francia desde el actuado en Aviñón en 1791, ya á favor de la unidad italiana desde 1848 y todos los demás invocan invariablemente como fundamento y título jurídico la consulta al pueblo.

En la práctica, no pocas veces se produjo el escarnio, ni dejó de sufrir el voto emitido el efecto de la coacción

neously proposed such increase in indemnity.

The country which has confidence in its triumph is not interested in a pecuniary standard greater than that duly agreed upon.

. . . . .

## I

Your excellency assumes that, according to modern precedents, the plebiscite incorporated in the History of International Law constitutes a simulated transfer.

That point, argued verbally by your excellency, is the most recent in the many conferences originated by the third clause of the treaty of Ancon.

In ancient legislation, an essential and characteristic element of the plebiscite consisted of the popular will, as an expression of sovereignty.

In the light of the principle of liberty, the French Revolution of 1789 condemned conquest imposed by arms and reestablished that democratic practice as the only justifiable basis for changes in the existence of States.

Thus brought into the international field, plebiscites, whether in favor of France as the one held in Avignon in 1791, or in favor of Italian unity as in 1848, and all the rest, invariably invoke as a fundamental and legal title the consultation of the people.

In practice many times it has been brought into ridicule nor has the vote been allowed to escape the effect of brutal y manejos fraudulentos.— De ahí el reiterado triunfo del anexante.

Pero la extorsión no es factor legal sino causa anulativa.

Los precedentes históricos en que se la ejerció demuestran que, á fin de obtener aparentemente el éxito de antemano concertado, hubo abusos, cual á veces los hay en elecciones locales pero así como no se invoca las últimas para legitimar los recordados abusos de política interna, tampoco se deduce de aquellos que en la esfera del derecho público se halla desvirtuado el plebiscito de índole libre para convertirse en disfraz del concepto diametralmente antagónico de la conquista; y que, por lo tanto, sea ésta la que siempre se revela consumada en todos los documentos que mencionan la voluntad popular como condición de transferencia.

. . . . . .

Si los negociadores de Ancón hubiesen impuesto la misma suerte á las poblaciones de Tacna, Arica y Tarapacá, no habrían convenido respecto de las primeras en el voto popular que respecto de la última emitieron.

. . . . . .

Desde la época del restablecimiento de esa institución por la Asamblea Nacional, la expresión más ó menos correcta de la voluntad popular en pro de la anexión, se exhibe las más de las veces con prescindencia absoluta del Soberano repudiado, por inciativa de Gobiernos insurrectos ó del ocupante bélico.

brutal coercion and fraudulent manipulation. Hence the reiterated triumph of the annexor.

But compulsion is not a legal factor. Rather it is an annulling cause.

The historical precedents in which it has been exercised demonstrate that, with the apparent object of obtaining success by preparation beforehand, there have been abuses, such as exist sometimes in local elections. But local elections are not called to legitimatize the recorded abuses of internal politics, neither can it be deduced from plebiscites that in the sphere of public law they have been invalidated to be converted into the diametrically opposite concept of conquest; even though this may seem to be the case in all the documents mentioning the popular will as a condition of transfer.

. . . . .

If the negotiators of Ancon had imposed the same fate on the populations of Tacna and Arica as on Tarapaca, they would not have agreed on a popular vote for them while omitting it for Tarapaca.

. . . . .

From the time of the reestablishment of this institution by the National Assembly, the more or less correct expression of the popular will on behalf of annexation has shown itself most often with the absolute setting aside of the sovereign repudiated, by the initiative of insurrectionary governments or of the belligerent occupant.

Tales casos no proceden como antecedentes análogos del Pacto bilateral de Ancón.

La nación cesionista no ha estipulado el plebiscito sino en cuatro oportunidades.

. . . . .

En el Tratado de Turín, antes de referirse á la voluntad de las poblaciones, el rey de Cerdeña declara que "consiente en la reunión de Saboya y de la circunscripción de Niza á Francia y *renuncia para sí y sus descendientes y sucessores en favor de* S. M. *el Emperador de los Franceses,* á sus derechos y títulos sobre dichos territorios."

En el Tratado de Praga, el Emperador de Austria también *renuncia en favor de Prusia* á su soberania al norte del Schleswig, el plebiscito pactado en el artículo 5°. que en 1878 abrogaron las Potencias contratantes, prevé, en afecto, el evento de los votos de los nativos, no en pro del cesionista ni del cesionario, sino de la reincorporación á Dinamarca.

En el Tratado de Viena "bajo reserva del consentimiento de las poblaciones debidamente consultadas," establecida por Napoleón III, que había aceptado la cesión para transferirla á Italia como se pactó en el de Praga, el mismo Emperador cedente austriaco "*consiente* en la reunión del reino Lombardo-Véneto al Reino de Italia."

Por fin, en el Tratado de París, antes también de la reserva acerca del consentimiento de la población, "el

Such cases do not serve as precedents for the two-sided pact of Ancon.

The nation granting the cession has not stipulated the plebiscite except on four occasions.

. . . . .

In the treaty of Turin, before submitting it to the will of the people, the King of Sardinia declared that "he consented to the reunion of Savoy and the union of Nice with France and *renounces for himself and his descendants and successors in favor of His Majesty the Emperor of the French* his rights and titles over said territory."

In the treaty of Prague the Emperor of Austria also *renounced in favor of Prussia* his sovereignty to the north of Schleswig and the plebiscite arranged for in article 5, which in 1878 the contracting powers abrogated, forecasting in fact that the outcome of the vote of the natives would be in favor of neither cedent nor cessionaire, but for reincorporation into Denmark.

In the treaty of Vienna, "under condition of the consent of the population after they have been duly consulted," established by Napoleon III, who had accepted the cession to transfer it to Italy as provided in the treaty of Prague, the same Austrian Emperor who ceded it "*consents* to the reunion of the Lombard-Venetian Kingdom to the Kingdom of Italy."

Finally, in the treaty of Paris, also with a reservation concerning the consent of the population, "the King

Rey de Suecia y Noruega *retrocede á Francia* la isla de San Bartolomé y *renuncia en consecuencia para si y sus descendientes y sucessores* á sus derechos y títulos sobre dicha Colonia."

En el Tratado de Ancón, el Perú no renuncia, como en aquéllos el Soberano, á sus territorios de Tacna y Arica.

Al contrario, deja claro su anhelo de no sufrir otra mutilación, puesto que no sólo hace depender " la forma en que el plebiscito deba tener lugar," de " un Protocolo especial que se considerará como parte integrante del Tratado," sino que se obliga, lo mismo que el Gobierno Chileno, á la entrega de 10,000,000 de soles en caso de serle favorable el sufragio, ó sea, á un cargo comprobatorio de su expectativa que no se encuentra en ninguno de los cuatro Pactos recordados.

Las poblaciones de Niza y Saboya y San Bartolomé y también las de Venecia, estaban unidas más á Francia é Italia respectivamente que á Cerdeña, Suecia y Austria, por vinculaciones históricas más ó menos sugestivas. Las de Tacna y Arica son de nacionalidad netamente peruana; sobre esas provincias jamás adujo Chile ni pretendió derecho alguno.

. . . . .

No existe, pues, paridad entre el Tratado de Ancón y los europeos erróneamente citados como antecedentes.

Luego no tuvo para sus negocia-

of Sweden and Norway *returned to France* the island of St. Bartholomew and *renounces in consequences for himself and his descendants and successors* his rights and titles over said colony."

In the treaty of Ancon, Peru has not renounced, as the sovereign in those mentioned, her territories of Tacna and Arica.

On the contrary she has made very clear her earnest desire not to suffer other mutilation, since she not only depends for " the form in which the plebiscite shall take place " on " a special protocol which would be considered as an integral part of the treaty," but is bound, the same as the Government of Chile, to the delivery of 10,000,000 soles in case the result is favorable to her, an obligation in proof of her expectations which is not found in any of the other four pacts recorded.

The populations of Nice and Savoy and St. Bartholomew and also those of Venice were more united to France and Italy, respectively, than to Sardinia, Sweden, and Austria, by more or less suggestive historic ties. The people of Tacna and Arica are in the main Peruvian; over these Provinces Chile could never have been influential or pretended to any right whatever.

. . . . .

There exists, then, no parity between the treaty of Ancon and those of Europe erroneously cited as antecedents.

Then the clause relative to a decidores alcance de letra muerta la cláusula relativa al fallo de la voluntad popular.

Ratifican ese aserto las negociaciones anteriores.

Tales son las de octubre de 1880, á bordo de la corbeta americana *Lackawanna,* en las cuales pretendieron los Plenipotenciarios Chilenos, entre otras exigencias de menor importancia, la *cesión* de los territorios al sur de la quebrada de Camarones, el pago de 20 millones de pesos por el Perú y Bolivia solidariamente y "la *retención* de Moquegua, Tacna y Arica hasta tanto se haya dado cumplimiento á las obligaciones á que se refieren las condiciones anteriores, obligándose además el Perú á no artillar el puerto de Arica *cuando le sea entregado,* ni en ningún tiempo"; las que originaron el Protocolo Balmaceda-Trescott, suscripto el 11 de febrero de 1882, en Viña del Mar, en el cual el Ministro de Relaciones Exteriores señaló como base de paz (no acogidas por el Gobierno de los Estados Unidos para ofrecer sus buenos oficios) la misma *cesión* al sur de Camarones, el pago de 20 millones de pesos y *la ocupación de Tacna y Arica por diez años* ó mayor tiempo "que el Perú podría fijar en el Tratado," con cargo de que si, al vencer el plazo estipulado, no pagase dicha suma "el Territorio de Tacna y Arica quedaría cedido '*ipso facto*'" *y que* "*si Arica volviese al dominio del Perú,* permanecería desartillado para siempre"; las en que intervino Mr. Logan, en las cuales, según lo manifiesta el

sion of the popular will had not for its negotiators the force of a dead letter.

Previous negotiations ratify that assertion.

Such are those of October, 1880, on board the American corvette *Lackawanna,* in which the Chilean plenipotentiaries assumed, among other demands of minor importance, the cession of the territories south of the Pass of Camarones the payment of 20,000,000 pesos by Peru and Bolivia together and "the *retention* of Moquegua, Tacna, and Arica until the obligations to which the previous conditions refer shall have been fulfilled, Peru binding herself moreover not to mount cannon at the port of Arica *when it shall be delivered,* or at any time." Such also are the negotiations of the Balmaceda-Prescott protocol, signed February 11, 1882, in Viña del Mar, in which the minister of foreign relations pointed out as a basis for peace (not concurred in by the United States, which had offered its good offices) the same *cession* to the south of Camarones, the payment of 20,000,000 pesos and *the occupation of Tacna and Arica for* 10 *years* or the longest time "Peru could fix in the treaty," with the obligation that if, on the expiration of the period stipulated, such sum should not be paid "the territory of Tacna and Arica would remain ceded '*ipso facto*'" and that "if Arica should return to the dominion of Peru, she would remain unarmed forever." The same is true of the ne-

Memorándum de 18 octubre de 1883, el Canciller Chileno sugirió la idea desestimada por el Presidente señor Calderón de la actuación plebiscitaria, estableciendo que " estaba dispuesto á pagar diez millones de pesos por el territorio, *si el plebiscito lo entregaba á Chile,* y esperaba recibir, á su vez, diez millones de pesos *si el plebiscito lo acordaba al Perú,"* y aceptó que un árbitro decidiera si Chile tenía derecho de comprar el Territorio de Tacna y Arica ó había " de ocupar militarmente dicho Territorio por espacio de quince años estando obligado á evacuarlo á la expiración de ese plazo."

Esas negociaciones dejan de relieve que el Perú se resistió siempre á la cesión, en cualquier forma, de los territorios de Tacna y Arica; y que por lo tanto, al aceptar el sufragio plebiscitario en el Tratado de 1883, contempló el plebiscito de derecho según el criterio uniforme de los tratadistas, no el falseamiento de la voluntad popular con que alguna vez lo profanaron los excesos. Por ese motivo ambas Repúblicas previeron, como quedó previsto en los proyectos anteriores, la emergencia de la reincorporación al territorio peruano.

. . . . .

Por no haber cesión disfrazada es que el 10 de agosto de 1892 — ó sea, antes del 28 de marzo de 1894 en cuya fecha venció el decenio pactado — el señor Larrabure invitó al Pleni-

gotiations in which Mr. Logan took part, in which, according to the memorandum of October 18, 1883, the Chilean chancellor suggested the idea, disregarded by President Calderon, of carrying out a plebiscite to determine whether Chile was " disposed to pay 10,000,000 pesos for the territory, *if the plebiscite delivered it to Chile,* and expected to receive in turn, 10,000,000 pesos *if the plebiscite accorded the territory to Peru,* and accepted arbitration to establish whether or not Chile had the right to purchase the territory of Tacna and Arica or had " to occupy said territory in a military sense for the period of 15 years, being obliged to evacuate it at the end of that period."

These negotiations bring into relief the fact that Peru resisted always the cession, in whatever form, of the territory of Tacna and Arica, and that for the same reason on accepting the decision by suffrage in the treaty of 1883, she contemplated the legal plebiscite according to the uniform criterion of treaty makers, and not the prostitution of the popular will which at any time excesses may profane. For this reason both Republics foresaw, as was foreseen in the previous projects, the difficulty that would arise when these territories should be reincorporated into Peru.

. . . . .

In order not to have a disguised cession, on August 10, 1892 — before March 28, 1894, on which date the decennial expired — Mr. Larrabure invited the plenipotentiary, Mr. Vial

potenciario señor Vial Solar á la elaboración del Protocolo plebiscitario; y las conferencias, al principio verbales, continuaron durante un período extenso de años, . . . sin que jamás ninguno adujese la incongruencia de tales gestiones.

Lejos de eso, previendo el posible triunfo del Perú en el plebiscito, el señor Lira pidió garantía para el pago de la indemnización; . . .

En la cláusula primera del Tratado Chileno-Boliviano del 18 de mayo de 1895, sobre transferencias de territorios, Chile se obliga á ceder á Bolivia los de Tacna y Arica "*si los adquiriese á consecuencia del plebiscito* que haya de tener lugar en conformidad al Tratado de Ancón"; en la cláusula tercera "se compromete á empeñar *todos sus esfuerzos*" "*para obtener en propiedad definitiva*" los dichos territorios; y en la cláusula cuarta contrae un compromiso subsidiario para el evento de que "*no pudiese obtener en el plebiscito* ó por arreglos directos la soberanía definitiva de la zona en que se hallan las ciudades de Tacna y Arica."

. . . . . .

A su vez, en su mensaje de 1900, el Presidente Señor Errázuriz dijo que, "en el Tratado de paz *quedó indecisa* la nacionalidad definitiva de los territorios de Tacna y Arica."

. . . . . .

La deducción sobre cesión simulada ó conquista de los territorios de Tacna y Arica — sacada, no del texto ni espíritu de aquel Tratado, sino de los impertinentes plebiscitos europeos —

Solar, to the elaboration of the protocol relating to the plebiscite; and the conferences, principally verbal, continued during an extended period of years, . . . without anyone ever disclosing that such proceedings were incongruous.

Far from this, foreseeing the possible triumph of Peru in the plebiscite, Mr. Lira asked a guarantee for the payment of the indemnity; . . .

In the first clause of the treaty between Chile and Bolivia of May 18, 1895, on the transfer of territory, Chile was obliged to cede to Bolivia the Provinces of Tacna and Arica "*if she should acquire them as a result of the plebiscite* which should take place in conformity with the treaty of Ancon;" in the third clause "it is promised to *employ all her efforts in obtaining a definite property*" in said territories; and in the fourth clause there is a subsidiary compromise on "*not being able to obtain in the plebiscite* or by direct arrangements the definite sovereignty of the zone in which are located the cities of Tacna and Arica."

. . . . . .

In his turn, in his message of 1900, President Errázuriz said that "in the treaty of peace the definite nationality of Tacna and Arica *remains undecided.*"

. . . . . .

The deduction concerning the simulated cession or conquest of the Provinces of Tacna and Arica — drawn, not from the text or the spirit of that treaty, but from inapplicable debe, pues, descartarse por completo.

## II

Tampoco es exacto, señor Ministro, que al Gobierno de V. E. corresponda exclusivamente la designación del personal que debe presidir el acto plebiscitario, ya en la inscripción de los electores, ya en la recepción de los sufragios, ya en la proclamación del escrutinio.

¿Cuál es el título de la soberanía que hoy alega Chile en las provincias de Tacna y Arica?

No es ciertamente el de la ocupación, que sólo autoriza el derecho respecto de la *res nullius*.

Tampoco es del sangriento avance militar durante la guerra á que puso término el Tratado de 1883, en cuyo cumplimiento evacuó el Ejército la región invadida, con dos excepciones, relativas á Tarapacá una y á las mencionadas provincias la otra.

De ese Pacto, únicamente, depende, por lo tanto, el titulo invocado.

. . . . .

Los antecedentes diplomáticos á que alude V. E. tampoco manifiestan que los plebiscitos se hayan realizado bajo la dirección exclusiva del Estado en cuyo provecho resultó el sufragio.

Los plebiscitos de 1860 á favor de Francia, se efectuaron, según los documentos oficiales, bajo la *presidencia de las autoridades nombradas por el Rey cesionista* de Cerdeña.

. . . . .

El plebiscito de 1866 á favor de

European plebiscites — ought, then, to be dismissed completely.

## II

Nor is it exact, Mr. Minister, that to the Government of your excellency should belong exclusively the designation of the personnel which should preside over the plebiscite, whether in the enrollment of electors, the reception of the votes, or the rules of the election.

What is the title to the sovereignty which today Chile alleges in the Provinces of Tacna and Arica?

It certainly is not that of occupation, which the law authorizes only in respect to the *res nullius*.

Neither is it that of the bloody military advance during the war to which the treaty of 1883 put an end, in whose fulfilment the army evacuated the invaded region, with two exceptions, one being Tarapaca and the other the Provinces mentioned.

On that pact alone depends the title invoked.

. . . . .

Neither do the diplomatic precedents to which your excellency alludes show that plebiscites have been carried out under the exclusive direction of the State in whose advantage the suffrage resulted.

The plebiscites of 1860 in favor of France, were effectuated, according to official documents, under the *presidency of the authorities named by the cedent King* of Sardinia.

. . . . .

The plebiscite of 1866 in favor of

Italia, se realizó conforme á la *reglamentación expedida por el soberano anexante,* pero bajo la presidencia de municipios compuestos exclusivamente de regnícolas.

. . . . .

El plebiscito de 1877, con resultado á favor de Francia, se efectuó *bajo la presidencia del Rey cesionista* de Suecia, quien ordenó al Gobernador de la isla de San Bartolomé " que dispusiera lo conveniente para la votacion," estableciendo las reglas que se hubiere de seguir.

La conformidad única de aquellos precedentes está en el *modus operandi* ante nativos de la localidad sujeta á plebiscito; por lo que, si se les imitara, intervendrían en el de Tacna y Arica, en calidad de funcionarios, únicamente tacneños y ariqueños.

Pero en lo que á presidencia concierne, los ejemplos se hallan disconformes.

Siendo absoluta, explícita, la renuncia para sí, sus descendientes y sucesores, del soberano cedente (punto esencial contrario al Tratado de Ancón), habría sido concebible que dejara al anexante en plena libertad. Sin embargo, en dos casos sobre tres, es aquel cesionista quien asume siempre, según los dichos documentos oficiales, la alta dirección del acto.

He tenido la honra de comprobar que la permanencia de las Autoridades Chilenas en los territorios de Tacna y Arica, después del 28 de marzo de 1894, es evidentemente ilegal.

Italy was carried out in conformity with the *regulation of the annexing sovereignty* but under the presidency of municipalities composed exclusively of natives.

. . . . .

The plebiscite of 1877, with result favorable to France, was effected under the *presidency of the cedent King* of Sweden, who ordered the governor of the island of St. Bartholomew to " make suitable arrangements for the voting," establishing the rules which would have to be followed.

The only conformity of these precedents is in the *modus operandi* before natives of the locality subject to the plebiscite; and if they were imitated there would intervene as functionaries only the people of Tacna and Arica.

But in that which concerns the presidency, the examples are found to lack conformity.

The renunciation being absolute and explicit for the ceding sovereignty, his descendants and successors (an essential point contrary to the treaty of Ancon), it would have been conceivable that it would leave the cessionaire in complete liberty. Nevertheless, in two cases out of three, it is the cedent who assumes always, according to said official documents, the high direction of the plebiscite.

I have the honor to assert that the continuation of Chilean authorities in the territories of Tacna and Arica, after March 28, 1894, is patently illegal.

De lo ilícito no emanan derechos.

Luego, no existe el de soberanía que jamás tuvo Chile para presidir la actuación; mucho menos para dirigirla sin control, inscribiendo á los electores, recibiendo los votos en contra ó en pro de sus aspiraciones, computando el escrutinio y proclamándolo.

. . . . .

. . . según los preceptos fundamentales de justicia, la única deducción lógica de ese derecho, en principio igual, es que las dos Repúblicas tengan idéntica intervención é idénticas positivas seguridades, á fin de que el plebiscito exprese, con el testimonio de ambas, el veredicto del pueblo.

Está esa base acordada en el Protocolo Billinghurst-Latorre.

III

Permítame V. E. comprobar ahora que sólo incumbe á los regnícolas el derecho de sufragio.

Mientras no se nacionalizan, los extranjeros conservan su condición jurídica de tales. Por no perder sus vínculos propios de soberanía, ni adquirir los de la ajena, carecen de derechos políticos en el lugar de su domicilio; y al producirse una transferencia de territorio, sin que se les obligue á declaración alguna, continúa inalterable su estatuto personal.

. . . . .

Si el sufragio es de naturaleza que su ejercicio no puede concederse á los demás nacionales de los países inter-

From what is unlawful no rights emanate.

Then there can not exist what Chile never had: the right of sovereignty to preside over the plebiscite, much less to direct it without control, enrolling the electors, receiving the votes for or against her aspirations, scrutinizing the elections, and announcing their result.

. . . . .

. . . according to the fundamental precepts of justice, the only logical deductions from this right, equal in principle, is that the two Republics shall have identical intervention and identical positive assurances, so that the plebiscite may express, with the testimony of both, the verdict of the people.

This is the basis accorded in the Billinghurst-Latorre protocol.

III

Permit me now, your excellency, to show that there belongs only to the natives the right of suffrage.

While they are not nationalized, foreigners retain their legal status as such. In order not to lose their own national ties, or to acquire those of the foreign country, they are deprived of political rights in the place of their domicile; and on a transfer of territory, without binding them by any declaration whatever, their personal status remains the same.

. . . . .

If suffrage is of such a nature that its exercise can not be conceded to the nationals of the countries interesados, menos aún es dable pretender que se otorgue como privilegio á los extranjeros.— Tacna y Arica son provincias peruanas.— Y sin embargo de que á los ciudadanos del Perú, no nacidos en ellas, se les negaría el voto, éste correspondería á los ciudadanos ó súbditos de otras naciones; quedando así en situación política más ventajosa que la de los compatriotas, aquellos en quienes debe suponerse jurídicamente que ningún interés tienen en el resultado del acto. El ilustrado criterio de V. E. me releva á patentizar lo absurdo de semejante conclusión.

Si el plebiscito es un derecho exclusivo de soberanía, y no les afecta su desenlace, es obvio que nada justifica la intrusión de aquellos huéspedes en ese acto de tan trascendentales efectos únicamente para la agrupación política de la que no forman parte.

Concederles voto es atribuirles condominio, al igual de los dueños, sobre el territorio en que temporalmente habitan; señorío sobre quienes les ofrecieron hospedaje, al extremo de resolver acerca de su futuro, hiriendo el amor sacrosanto de la Patria; es autorizarlos influyendo así en el desposeimiento y desnacionalización de los regnícolas, á quebrantar la neutralidad, que en toda contienda internacional, les imponen las reglas más triviales del derecho.

El doctor don Alejandro Alvarez, consultor técnico del Ministerio hoy

ested, still less is it possible to pretend that it may be bestowed as a privilege upon foreigners. Tacna and Arica are Peruvian Provinces. Notwithstanding the fact that the citizens of Peru, not born in Tacna and Arica, would be denied the vote, this would belong to the citizens or subjects of other nations; and thus those who might be supposed to have no interest in the result of the plebiscite would be in a better political situation than their compatriots. The intelligent judgment of your excellency relieves me from elaborating upon the absurdity of such a conclusion.

If the plebiscite is an exclusive right of sovereignty, and its development does not affect the foreign population, it is obvious that nothing will justify the intrusion of those guests in that act of such transcendental effects only for the political group of which they form no part.

To concede them the vote is to attribute to them joint dominion, equally with the citizens of Peru, over the territory which temporarily they have inhabited; mastery over those who temporarily offer them hospitality, to the extent of deciding upon their future, wounding the sacred love of country; it is to authorize them, influencing thus in the dispossession and denationalization of the citizens, to abandon neutrality, which in every international contention the most trivial rules of right impose upon them.

Dr. Alexander Alvarez, technical consultor of the ministry now in á cargo de V. E., dice en una de sus publicaciones, refiriéndose á los extranjeros domiciliados en Tacna y Arica: "Es un principio fundamental de derecho de gentes y de derecho constitucional de todos los países que en país extranjero el extranjero no tiene ningún derecho político; y es la más alta manifestación de un derecho político, desde el punto de vista internacional, el sufragio por á cuál de los dos países contendientes debe pertenecer una porción del territorio que está ocupada militarmente por uno de ellos.— Fuera de esta razón, que es fundamental, cabría aún preguntar por qué motivo los extranjeros habrían de tener derecho á vote en materia de anexión de un territorio á otro.— ¿Por qué ellos tienen bienes en esos territorios? — Ese interés sólo les da derecho para pedir que sus bienes sean respetados, y nada más. Y desde el momento en que sus bienes son respetados, ningún derecho pueden pretender ellos para concurrir con su sufragio á resolver una cuestión á la que ellos como extranjeros, han debido y deben permanecer extraños."

La calidad de chileno no es causal de excepción que justifique el voto.

. . . . .

Los ciudadanos chilenos en ellas residentes son en ambas tan extranjeros como los demás.

Sin derecho en la soberanía peruana, sin que efecte su estatuto personal el desenlace del plebiscito, la circunstancia de importar su voto en pró de Chile, no ya quebrantamiento de

charge of your excellency, said in one of his publications, referring to the foreigners domiciled in Tacna and Arica:

"It is a fundamental principle of civil and constitutional law of all countries that in a foreign country the foreigner has no political right; and the suffrage as to which of the two contending countries a portion of territory which is occupied in a military sense by one should belong is the highest manifestation of a political right from the international point of view. Aside from this reason, which is fundamental, it may even be asked by what motive the foreigners would have the right to vote on a matter of annexation from one country to another. Because they have possessions in those territories? That interest only gives them the right to ask that their belongings be respected, and nothing more. And from the moment in which their possessions are respected, they could claim no right to take part in the suffrage to decide a question to which they, as foreigners, have been and ought to remain strangers."

The quality of being Chilean is not so exceptional as to justify the vote.

. . . . .

The Chilean citizens resident in these Provinces are as foreign as the rest.

Without right in the Peruvian sovereignty, without their personal status being affected by the result of the plebiscite, the circumstance of importing their vote in behalf of Chile, neutralidad sino concurso efectivo en acto de conquista, hace aún más evidente su inhabilitación.

La cláusula tercera del Tratado estatuye que expirado el plazo de los diez años un " plebiscito decidirá en votación popular " si el territorio de las provincias de Tacna y Arica queda definitivamente del dominio y soberanía de Chile ó si continúa siendo parte del territorio peruano.

V. E. se digna suponer que la " voluntad popular " requerida es la de todos los vecinos; inclusive la de los extranjeros que han radicado sus intereses y constituído su familia en las localidades á cuya prosperidad contribuyen con labor perseverante y fecunda.

Si exacta fuese la consecuencia deducida de la última aseveración, bastaría ésta para que se les reconociera derechos políticos.

Desde luego, tal teoría infringe la de la legislación chilena que les veda aún la actuación municipal.

En el vecino extranjero, se presume la inestablilidad; el deseo de regreso á la Patria de la que no se ha desvinculado, con la nueva familia y la fortuna afuera adquirida.

. . . . .

En el Tratado de Turin, se estipuló que para la transferencia se tomaría en cuenta " la voluntad de las *poblaciones.*" El reglamento para el plebiscito en Niza, dispone en su articulo

not only a violation of neutrality but an effective aid in the act of conquest, makes even more evident their disqualification.

The third clause of the treaty establishes that on the expiration of the period of 10 years " a plebiscite will decide by popular vote " whether the territory of the Provinces of Tacna and Arica shall remain definitely under the dominion and sovereignty of Chile or whether it will continue being part of the Peruvian territory.

Your excellency is good enough to suppose that the " popular will " required is that of all the inhabitants, including that of the foreigners who have rooted their interests and established their families in the locality to whose prosperity they contribute with persevering and fruitful labor.

If the deduction from this last observation were exact, this would be sufficient for the bestowal of political rights upon them.

At present such a theory would infringe upon that of Chilean legislation which forbids them participation even in municipal affairs.

In the foreign resident, instability may be presumed; the desire to return to the homeland whose ties have not been broken, with the new family and the new fortune acquired while away.

. . . . .

In the treaty of Turin, it is stipulated that for the transfer shall be taken into account " the will of the people." The regulation for the plebiscite in Nice is set forth in ar-

4°.: " Serán admitidos á votar todos los *ciudadanos* de 21 años de edad por lo menos, *que pertenezcan por su nacimiento ó su origen, al condalo de Niza"*; y para el acto en Saboya dispone, también en su artículo 4°.: " se admitirá á votar á todos los ciudadanos de 21 años de edad por lo menos *nacidos en Saboya ó fuera de Saboya, de padres saboyanos* que habiten el distrito."

En el Tratado de Viena también se estipuló la transferencia " bajo reserva del *consentimiento de las poblaciones* debidamente consultadas." El reglamento para el plebiscito " en las provincias italianas libertadas de la ocupación austriaca " dispone en su artículo 5°.: " En los días señalados para la votación *todos los italianos* de dichas provincias que hayan cumplido 21 años."

En el Tratado de París, así mismo, se estipuló la transferencia " con la expresa reserva del *consentimiento del pueblo* de San Bartolomé," y el Rey de Suecia dispuso: " todo hombre de la población de la isla, en el goce de sus derechos civiles y mayor de edad, puede tomar parte en el plebiscito."

Se creyó necesaria una aclaratoria y la dió como sigue el Ministro de Negocios Extranjeros del monarca cesionista: " el sentido es, *naturalmente, que sólo deben votar los súbditos suecos."*

En todos aquellos reglamentos, concordantes con los Tratados que pactaron el consentimiento de los pueblos ó poblaciones, se menciona

ticle 4: " There shall be admitted to vote all those *citizens* who are at least 21 years of age, *who belong by birth or origin to the earldom of Nice;* and for the action in Savoy it sets forth, also in article 4: " There shall be admitted to vote all the citizens who are at least 21 years of age *born in Savoy or out of Savoy, of Savoyan parents* who inhabit the district."

In the treaty of Vienna also is stipulated the transfer " under condition of the *consent of the people duly consulted."* The regulation for the plebiscite " in the Italian Provinces liberated by the Austrian occupation," sets forth in article 5: " On the days designated for the voting *all Italians* of said Provinces who have completed 21 years."

In the treaty of Paris, likewise, the transfer is stipulated " with the express condition of the consent of the people of St. Bartholomew," and the King of Sweden set forth: " Every man of the population of the island, in the enjoyment of civil rights and having attained his majority, can take part in the plebiscite." An explanation was believed necessary, and it was given as follows by the minister of foreign affairs of the ceding monarch: " The sense is, *naturally, that only Swedish subjects may vote."*

In all those regulations, in accordance with the treaties which pledged the consent of the peoples or populations, there is mentioned always the siempre á los regnícolas, jamás á los extranjeros ni á los nacionales del presunto anexante.

La fórmula análoga de "votación popular" empleada en el Tratado de Ancón no puede, pues, Señor Ministro, interpretarse en sentido contrario.

. . . . . .

Muy grato me es reiterar á V. E. las seguridades de mi más distinguida consideración.

(Firmado).— G. A. SEOANE.

Al Excmo, Señor Don Federico Puga Borne, Ministro de Relaciones Exteriores de Chile.

citizens, never foreigners or nationals of the would-be annexor.

The analogous formula of "popular vote" employed in the treaty of Ancon could not, then, Mr. Minister, be interpreted in a contrary sense.

. . . . . .

I am very pleased to repeat to your excellency the assurances of my most distinguished consideration.

(Signed) G. A. SEOANE.

To His Excellency Hon. Federico Puga Borne, Minister of Foreign Relations of Chile.

## *Summary of the Chilean and Peruvian Proposals for the Holding of the Plebiscite, with Observations by the Peruvian Foreign Office. December 23,* 1909 [1]

### MINISTERO DE RELACIONES EXTERIORES DE CHILE

### *Propuesta Chilena*

Primero.— El plebiscito tendrá lugar en una fecha que permita al gobierno de Chile cumplir las obligaciones que tiene contraídas con la república de Bolivia para la construcción del ferrocarril de Arica á La Paz.[2]

Segundo — Tomarán parte en la votación, que será secreta, todos los chilenos, peruanos y extranjeros que reunan los requisitos siguientes:

a)— Las calidades necesarias para ser ciudadano elector; y

### MINISTER OF FOREIGN RELATIONS OF CHILE

### *Chilean Proposal*

First.—The plebiscite shall take place on a date which will enable the Chilean Government to fulfil the obligations which it has contracted toward the Republic of Bolivia for the construction of the railroad from Arica to La Paz.

Second.—All Chileans, Peruvians, and foreigners who possess the following requisites shall take part in the vote, which shall be secret:

a) The qualifications necessary in order to be a voting citizen; and b)— Una residencia mínima de seis meses.

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[1] Peru, *Boletin del Ministerio de Relaciones Exteriores*, vols. 35–36, p. 194 *et seq*. For the full text of the Chilian proposal and the note accompanying it see Ministerio de Relaciones Exteriores de Chile, *Question de Tacna y Arica* — 2d edition (1912), pp. 379–415.

[2] See Treaty with Bolivia, Article 3, *ante*, p. 1011.

Tercero.— Corresponderá á Chile la presidencia tanto de la junta directiva como de las juntas de inscripción y de recepción, que se compondrán de tres vocales, á saber: uno chileno, uno peruano y otro neutral designado por los cónsules extranjeros de Tacna ó por una nacion amiga.

Cuarto.— En todo lo que no sea contrario á las presentes bases, Chile podriá aceptar, si el Perú lo prefiere, las estipulaciones del protocolo Billinghurst-Latorre.

### *Contrapropuesta Peruana*

Son necesarias las siguientes modificaciones en los cuatro puntos que contiene el memorándum del señor encargado de negocios de Chile:

Primero.— La Junta directiva encargada de organizar el plebiscito comenzará á funcionar en el término de tres meses contados á partir del día en que se firme el protocolo plebiscitario.

Segundo.— Podrán tomar parte en la votación, que será pública, todos los peruanos y chilenos que reunan los siguientes requisitos:

a)— Veinte y un años de edad;

b)— Residencia en el territorio por lo menos á partir del 1° de julio de 1907.

Podrán también tomar parte los nacidos en el territorio de Tacna y Arica que se hallen presentes en el momento de la votación, si previamente se hubiesen inscrito par tal objeto.

No podrán votar los empleados pú-

b) A minimum residence of six months.

Third.—To Chile shall belong the presidency both of the directing board and of the boards of registration and reception, which shall be composed of three voting members, to wit: One Chilean, one Peruvian, and one neutral designated by the foreign Consuls of Tacna or by a friendly nation.

Fourth.—In all matters not contrary to the present bases, Chile may accept, if Peru so prefers, the stipulations of the Billinghurst-Latorre protocol.

### *Peruvian Counterproposal*

The following modifications are necessary in the four points contained in the memorandum of the Chargé d'Affaires of Chile:

First. — The Directing Board charged with the organization of the plebiscite shall begin to operate within a period of three months from the date of signature of the plebiscitary protocol.

Second.—All Peruvians and Chileans who possess the following requisites may take part in the vote, which shall be public:

a) The age of twenty-one years;

b) A residence in the territory dating at least from July 1, 1907.

Those born in the territory of Tacna and Arica and who are present at the time of the vote may also take part provided they have previously registered for the purpose.

Public employees and members of

blicos ni los individuos del ejécito ó de la policía que presten sus servicios en dichas provincias.

Tercero.— La junta directiva se compondrá de tres vocales, á saber: un peruano, un chileno y un neutral designado por una nación amiga. La presidencia corresponderá al neutral. — Las juntas para la inscripción y recepción de votos se compondrán también de un delegado peruano, un chileno y un neutral. La presidencia de estas juntas corresponderá también al delegado neurtal.

Cuarto.— La junta directiva señalará los lugares en que deban funcionar las juntas inscriptoras y receptoras.

En todos los demás puntos de detalle regirá el protocol Billinghurst-Latorre.

*Observaciones*

Primera.— El Perú está dispuesto á aceptar el arbitraje para resolver las divergencias de opinión que no fuesen conciliables.

Segunda.— El Perú acepta el voto de los chilenos para dar prueba del deseo que le anima de llegar á un avenimiento, pero no renuncia á la teoría que siempre ha sostenido sobre el derecho exclusivo que corresponde á los naturales de Tacna y Arica. Por tanto, si no hubiese acuerdo, la concesión actual no podrá estimarse como un reconocimiento definitivo.

Tercera.— Debe tenerse en cuenta para juzgar la propuesta del Perú el

the army or police force on duty in said provinces shall not be allowed to vote.

Third.—The directing board shall be composed of three voting members, to wit: a Peruvian, a Chilean, and a neutral designated by a friendly nation. The presidency shall belong the neutral. The boards for the registration and for the reception of votes shall also be composed of one Peruvian delegate, one Chilean, and one neutral. The presidency of these boards shall also belong to the neutral delegate.

Fourth.—The directing board shall designate the places where the registration and reception boards are to operate.

On all other points of detail the Billinghurst-Latorre protocol shall govern.

*Observations*

First.—Peru is disposed to accept arbitration in order to settle any differences of opinion that may not be reconcilable.

Second.—Peru accepts the vote of the Chileans in order to furnish evidence of her desire to reach an agreement, but she does not abandon the theory which she has always held that the exclusive right belongs to the natives of Tacna and Arica. Therefore, if an agreement should not come about, the present concession must not be considered as a final recognition.

Third.—In judging the proposal of Peru, the fact must be taken into ac-hecho de haber trascurrido cerca de diez y seis años desde que se venció el plaza de la ocupación.

Cuarta.— Habiendo contradicción entre el propósito que anima al gobierno de Chile para celebrar el acuerdo en cuestión y el que revelan las medidas adoptadas ó proyectadas contra los residentes peruanos y que han motivado las reclamaciones que verbalmente ó por escrito ha presentado el gobierno del Perú estima éste que esas medidas deben suspenderse, revocarse ó quedar sin ejecución.

count that about sixteen years have elapsed since the period of the occupation expired.

Fourth.—As there is a discrepancy between the purpose animating the Chilean Government to conclude the agreement in question and that revealed by the measures adopted or proposed against the Peruvian residents and which furnished the grounds for the protests presented orally or in writing by the Peruvian Government, the latter thinks that these measures ought to be suspended, revoked, or left unenforced.

## *Proposal Regarding the Plebiscite Made by the Peruvian Government, November* 10, 1912[1]

*De Lima, Noviembre* 10

Mi Gobierno desea reanudar con el de V. E. relaciones cordiales y estables con el propósito de prosperidad nacional y de satisfacer altos intereses americanos. Animados del anhelo de finalizar el conflicto de Tacna y Arica propongo a V. E. desde luego aplazar hasta 1933 el plebiscito el cual se celebrará bajo la dirección de mesas formadas por una comisión que procederá en mayoría y que será compuesta de cinco delegados a saber: de dos chilenos nombrados por Chile, de dos peruanos nombrados por el Perú y del Presidente de la Corte Suprema de Justicia de Chile quien la presidirá. Votarán los nacidos en

*Lima, November* 10.

My Government desires to renew cordial and stable relations with that of your Excellency, with the object both of national prosperity and of the satisfaction of American interests of importance. Animated by the desire to put an end to the Tacna-Arica conflict I propose to your Excellency that the plebiscite shall take place in 1933 and shall be celebrated under the direction of boards which shall be appointed by a commission which shall proceed by majority vote and which shall be composed of five delegates, that is to say: two Chilians appointed by Chile, two Peruvians appointed by Peru, and the President of the Su-

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[1] Chile, *Memoria del Ministro de relaciones exteriores*, octubre de 1911 — julio de 1914, p. 283.

Tacna y Arica y los chilenos y los peruanos que hayan residido tres años en el territorio. Todos los votantes deberán saber leer y escribir. Tan pronto como V. E. me manifeste cablegráficamente su conformidad con estos propósitos y los hayamos ratificado también por cable acreditaremos Ministro Plenipotenciario que colabore a la inmediata formalización de este convenio y procure llevar a efecto arreglos de comercio y de navegación de mutua ventaja.

(Firmado) Wenceslao Valera.
*Ministro de Relaciones*

Excmo. Señor Ministro de Relaciones Exteriores.— Santiago.

preme Court of Chile, who shall preside. There shall vote those born in Tacna and Arica and those Chilians and Peruvians who shall have resided three years in the territory. All voters shall be able to read and write. As soon as your Excellency shall have notified me by telegraph of your acceptance of these proposals and as soon as we shall have ratified them by wire, we will give the necessary credentials to our Minister Plenipotentiary who will collaborate in the immediate framing of this convention and will endeavor to effect agreements concerning commerce and navigation which shall be of mutual benefit.

(Signed) Wenceslao Valera.
*Minister of Foreign Relations.*

To His Excellency the Minister of Foreign Relations.— Santiago.

# THE SEPARATION OF NORWAY FROM SWEDEN, 1905

## *Address to the King by the Riksdag Postponing Negotiations Regarding Separation Until After a Further Expression of the Desire of the Norwegian People.* *July* 28, 1905 [1]

. . . . .

I vissa af de inom Riksdagen afgifna motioner har framhållits, att Sverige icke borde lämna sitt samtycke till unionens upplösning, förr än det norska folket fått uttala sig, vare sig ett sådant uttalande komme att gifvas, på sätt en motionär ifrågasatt, genom nya val till Stortinget eller, enligt en annan motionärs mening, medelst folkomröstning.

Riksdagen anser ock, att i ett ärende af så utomordentlig räckvidd som frågan om unionens upprätthållande eller upplösning ett säkrare uttryck för det norska folkets vilja bör gifvas, än som skett genom stortingsbeslutet den 7 juni 1905.

Hvilkendera af de ifrågasatte formerna för att bereda det norska folket tillfälle till uttalande i denna fråga bör väljas, anser Riksdagen böra bero af Norges eget afgörande. Men tydligt synes det Riksdagen vara, att från svensk sida icke någon åtgärd för unionens uplösning eller för att lämna erkännande åt den politiska

. . . . .

In certain of the motions proposed in the Riksdag it was pointed out that Sweden ought not to give her consent to the dissolution of the union before the Norwegian people had been able to express their opinion, whether such expression be given, as suggested by one member offering a motion, by means of a new election to the Storting, or, according to the suggestion of another, by means of a plebiscite.

The Riksdag is also of the opinion that in a matter of such extraordinary consequence as the question of the maintenance or dissolution of the union, a surer expression of the will of the Norwegian people ought to be given than occurred through the Storting's resolution of June 7, 1905.

The Riksdag is of the opinion that the question of which one of the aforementioned methods ought to be chosen to give the Norwegian people an opportunity for expression upon their question should depend on Norways' own decision. But it seems clear to the Riksdag that from the Swedish point of view no measures

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[1] *Unionens Opløsning,* p. 293.

ställning, hvari Norge kommit, bör vidtagas, förrän det norska folket haft tillfälle att gifva otvetydigt uttryck för sin uppfatning i saken och, därest det därvid uttalat sig för unionens upplösande, framställning i sådant syfte skett från Norge. Om sådan framställning kommer och om ur svensk synpunkt tillfredsställande öfverenskommelse visar sig kunna träffas i fråga om de villkor, som från Sveriges sida måste uppställas för erkännande af Norge såsom en från unionen med Sverige skild stat, anser Riksdagen, att Sverige bör vara beredt att för sin del medgifva riksaktens upphäfvande och unionen upplösning.

Vid eventuella förhandlingar härom bör med kraft och bestämdhet fordras och fasthållas, hvad hänsyn till Sveriges välfärd och värdighet kräfver.

För båda folken måste det vara en angelägenhet af högsta vikt, att, därest unionen upplöses, fred dem emellan dock måtte råda för framtiden. Därför böra icke anordningar, som det ena landet kan uppfatta såsom ett hot från det andra landets sida, upprätthållas. Fastmer bör en öfverenskommelse träffas, hvarigenom dylika anordningar äfven for framtiden förebyggas.[1] . . .

. . . . .

ought to be taken for the dissolution of the union or for taking cognizance of the political situation to which Norway has come, before the Norwegian people has had a chance to give unequivocal expression of its opinion in the matter, and, in case it expresses itself in favor of the dissolution of the union, a report to that effect is received from Norway. In case such report comes and in case it appears that an agreement, satisfactory from the Swedish point of view, can be made respecting the conditions which must be stipulated from Sweden's side for the recognition of Norway as a state disunited from Sweden, then the Riksdag is of the opinion that Sweden should be ready, for its part, to agree to the annulment of the Act of Union and the dissolution of the union.

In the event of negotiations concerning this, that which consideration for Sweden's welfare and dignity demands should be forcefully and decisively demanded and insisted upon.

For both peoples it must be a matter of greatest weight that, in case the union is dissolved, peace should prevail between them for the future. Therefore negotiations which one country might interpret as a threat from the other country ought not to be maintained. Moreover an agreement ought to be concluded, by means of which such regulations might be precluded even for the future.

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[1] The provisions stipulated by the Riksdag in the passages omitted concern an agreement as to arbitration, a neutral zone, pasturage rights for the Swedish Lapps, commerce in transit and waterways owned in common.

Under åberopande af hvad sålunda blifvit anfördt, får Riksdagen *dels,* under uttalande att Eders Kungl. Maj:ts förevarande proposition icke kunnat, sådan den blifvit Riksdagen förelagd, bifallas, förklara, att Riksdagen icke har något att invända mot att, därest ett efter nya val tillkommet Storting gör framställning om riksaktens upphäfvande och unionens upplösning eller ock sådan framställning från Norge ingår efter det norska folket genom folkomröstning uttalat sig för unionens upplösning, förhandlingar af här ofvan angifven art upptagars; . . .

Stockholm den 28 juli 1905.
Med undersåtlig vördnad
På Riksdagens vägnar:
för Första Kammaren:
GUSTAF SPARRE.
n. v. Talman.
för Andra Kammaren:
AXEL SWARTLING.
n. v. Talman.

With reference to what has been stated, the Riksdag wishes to announce first, that while stating that Your Majesty's present proposition can not be approved in the form in which it was laid before the Riksdag, in case the newly elected Storting demands the annulment of the act of union and the dissolution of the union, or in case such a demand proceeds from Norway after the Norwegian people, by means of a plebiscite, have pronounced in favor of the dissolution of the union, the Riksdag has no objection to make against the initiation of negotiations of the nature described above;

Stockholm, July 28, 1905.
As respectful subjects on behalf of the Riksdag:
for the First Chamber:
GUSTAV SPARRE
Speaker.
For the Second Chamber:
AXEL SWARTLING
Speaker.

## *Report to the Storting by the Norwegian Department of Justice Recommending a Plebiscite in Norway. Approved by Resolution of the Norwegian Government of the same Date. July* 27, 1905[1]

Ved den af forholdene nødvendiggjorte ekstraordinære afgjørelse, som paa nationens vegne er truffet af stortinget gjennem dets beslutning af 7de juni 1905, har nationalforsamlingen optraadt med den beføielse, som er hjemlet den ved dens stilling og ved

Regarding the extraordinary decision necessitated by the circumstances, a decision made on behalf of the nation by the Storting in its resolution of June 7th, 1905, the national assembly has acted with the authority granted to it by its position and by

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[1] *Unionens Opløsning,* p. 219.

bevidstheden om at handle under fuld tilslutning og billigelse af det norske folk.

Udenfor Norge har der imidlertid været forsøgt at reise tvil om tilstedeværelsen af en saadan folkemening. Særelig maa dette tvilsmaal antages at ligge til grund for de ønsker om yderligere tilkjendegivelse af det norske folks vilje og mening, der er kommet til orde i den Sveriges riksdag nu forelagte komiteindstilling og riksdagens paa grundlag heraf fattede beslutning i anledning af unionens opløsning og de dermed i forbindelse staaende spørsmaal.

Uden for nærværende iøvrigt at indlade sig paa de i den nævnte indstilling omhandlede vilkaar eller de derfor angivne udgangspunkter og forudsætninger, finder departementet, at der en opfordring til snarest muligt gjennem en folkeafstemning at bortrydde den ubeføiede tvil. I lande, hvor man ikke har tilstrækkelig anledning til at lære den virkelige stemning i Norge at kjende, kunde paastanden om splittelse inden det norske folk vanskeliggjøre eller forhale ordningen af det suveræne Norges forhold til udenverdenen.

En fri folkeafstemning af norske borgere angaaende det spørsmaal, til hvis besvarelse den nævnte tvil er søgt knyttet unionens opløsning,— vil bringe ogsaa fjernt staaende fuld klarhed og bortrydde virkningerne af de feilagtige opfatninger, som kan have gjort sig gjældende i udlandet.

the consciousness of acting with the full approval and agreement of the Norwegian people.

Outside of Norway, however, attempts have been made to arouse doubts regarding the presence of such a popular opinion. Such a doubt must supposedly be the basis of the desire for a further manifestation of the will and opinion of the Norwegian people, which has been expressed in the committee report now laid before the Swedish Riksdag, and a resolution of the Riksdag adopted on the basis thereof with regard to the dissolution of the union and the questions arising in connection therewith.

Without discussing for the present the conditions mentioned in the said report or the points of departure given and presuppositions given therefor, the department finds that there is a demand for removing as quickly as possible the unjustified doubt by means of a plebiscite. In countries where sufficient opportunity is not at hand to become acquainted with the real opinion in Norway, the charge of division within the Norwegian nation might make difficult or might delay the regulation of the relation of the sovereign state of Norway to foreign countries.

A free plebiscite of Norwegian citizens concerning the question, upon the answer of which an attempt has been made to cast doubt — the dissolution of the union — will bring complete clearness even to those at a distance and will remove the effect of the mistaken suspicions which may

Og for vore medborgere kan en saadan ekstraordinær personlig tilkjendegivelse af deres mening og vilje alene tjene til at styrke fædrelandskjærligheden og offerviljen og yderligere vække deres samfølelse og bevidsthed om det fælles ansvar.

Departementet vil efter dette foreslaa, at der foranstaltes en umiddelbar afstemning af de efter grundloven stemmeberettigede borgere om, hvorvidt de er enige i den iverksatte opløsning af unionen.

Med hensyn til enkelthederne ved fremgangsmaaden henviser departementet til vedlagte udkast til stortingsbeslutning og skal her kun kortelig fremhæve følgende:

Det vil paa den ene side selvfølgelig være nødvendigt, at stemmegivningen omgives med alle de kauteler, som lovgivningen har fundet ønskelige for at betrygge offentlige valghandlingers renhed. Iøvrigt vil det imidlertid være ønskeligt, at ordningen gjøres saa enkel og letvindt som muligt. Dette kan bedst opnaaes derved, at stemmegivningen saavidt muligt foregaar paa samme maade som ved sidste stortingsvalg. Man foreslaar derfor, at det da benyttede mandtal lægges til grund, at afstemningen ligesom dengang paa landet foregaar prestegjældsvis, at der saavidt muligt benyttes de samme lokaler og den samme sammensætning af valgstyrerne som dengang o.s.v.

I henhold til foranførte tillader departementet sig at indstille:

have arisen in foreign countries. And for our fellow citizens such an extraordinary personal manifestation of their opinion will only serve to strengthen their love of country and their spirit of sacrifice, and, furthermore, awaken their feeling of solidarity and their consciousness of a common responsibility.

Therefore the department proposes an immediate voting by the citizens entitled to vote according to the constitution over the question whether they agree to a dissolution of the union which has been undertaken.

With regard to the details of execution, the department refers to the appended draft of the Storting resolution and wishes merely to emphasize briefly the following:

On the one hand it will of course be necessary to surround the balloting with all the safeguards which legislation has considered desirable in order to assure the purity of public elections. However, it is desirable to make the regulations as simple and as easy as possible. This result can best be obtained by having the balloting take place as much as possible in the same manner as at the last election for the Storting.

It is therefore proposed to use as a basis the census used at that time, and have the balloting done in the country by parishes as at that time, and to use as much as possible the same halls and the same election officials as at that time, etc.

With regard to the preceding, the department begs to propose:

At Den norske regjering maa bifalde og med sin underskrift forsyne vedlagte udkast til en proposition til stortinget om afholdelse af en folkeafstemning angaaende spørsmaalet om ophævelse af foreningen med Sverige.

Den norske regjerings proposition til Norges riges Storting om afholdelse af en folkeafstemning angaaende spørsmaalet om ophævelse af foreningen med Sverige.

Den norske regjering
gjør vitterligt:

Ved hoslagt at lade følge gjenpart af indstilling i sagen fra justis- og politidepartementet skal Den norske regjering indbyde Stortinget til at fatte beslutning om afholdelse af en folkeafstemning angaaende spørsmaalet om ophævelse af foreningen med Sverige overensstemmende med vedlagte udkast.

Givet i Kristiania den 27de juli 1905.

Under rigets segl.
(L. S.)
Christian Michelsen,
Sofus Arctander,
Gunnar Knudsen,
E. Hagerup Bull,
Lovland,
W. Olsson,
A. Vinje,
Christian Knudsen,
Harald Bothner,
Lehmkuhl,
K. Norby,
kst.

That the Norwegian government approve and append its signature to the appended draft of a proposition to the Storting concerning the taking of a plebiscite regarding the question of the dissolution of the union with Sweden.

The proposition of the Norwegian Government to the Storting of the Norwegian Kingdom concerning the taking of a plebiscite regarding the question of the dissolution of the union with Sweden.

The Norwegian government proclaims:

By enclosing herewith a copy of the report in this matter from the Department of Justice and the Police Department, the Norwegian Government shall notify the Storting to adopt a resolution concerning the taking of a plebiscite regarding the question of the dissolution of the union with Sweden in accordance with the enclosed draft.

Given in Kristiania 27th day of July 1905.

Under the seal of the State
(L. S.)
Chr. Michelsen
Sofus Arctander
Gunnar Knudsen
E. Hagerup Bull
Lovland
W. Olsson
A. Vinje
Chr. Knudsen
Harald Bothner
Lehmkuhl
K. Norby
kst.

## *Draft of Regulations for the Plebiscite Submitted with the Above Report*[1]

### I

Den 13de august 1905 kl. 1 em. skal for hele riget en folkeafstemning finde sted, hvorved de, som har stemmeret after grundloven, skal give svar paa det spørsmaal, om de er enige i unionens opløsning eller ikke.

### II

Regjeringen anmodes om at træffe de fornødne forføininger til afholdelse af denne folkeafstemning, ved hvilken de regler, som den gjældende lovgivning indeholder om fremgangsmaaden ved stortingsvalg, finder tilsvarende anvendelse, med de lempninger, som i det følgende angives.

### III

1. Afstemningen foregaar for hver kjøbstad, paa landet for hvert prestegjeld, og efter det mandtal, som blev istandbragt til sidste stortingsvalg, med de ændringer, som følger af nedenstaaende forskrifter.

2. I mandtallet stryges de personer, som efter dets istandbringelse er afgaaede ved døden eller har mistet sin stemmeret (grl. § 3, jfr. §50), og suspensionsmerke sættes ved dem, som siden har faaet sin stemmeret suspenderet, og saadant merke stryges ved dem, for hvem suspensionen siden er hævet.

3. Den, som ikke er indført i det

### I

Upon the 13th August 1905, at 1 P. M. a plebiscite shall take place for the whole Kingdom by which those who are entitled to vote according to the constitution shall give an answer to the question whether they agree to a dissolution of the union or not.

### II

The government is requested to take the necessary measures for the taking of this plebiscite by which the regulations of the laws in force concerning the mode of procedure at elections of the Storting are given corresponding application with such modifications as are given below.

### III

1. The balloting shall take place in every town, in the country in every parish and according to the census which was taken for the last election of the Storting, with such changes as result from the following regulations:

2. In the census are omitted those persons who since the taking of the same have died or have lost their right to vote (Constitution paragraph 3 of J. F. R. p. 50); a mark of suspension shall be placed at the names of those who have since had their right to vote suspended and such mark shall be erased for those from whom the suspension has since been removed.

3. Any man whose name is not

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[1] *Unionens Opløsning*, p. 220.

omhandlede mandtal, fordi han ved stortingsvalget i 1903 endnu ikke havde fyldt 25 aar eller havde været bosat i landet i 5 aar, men som senest paa den for stemmegivningen fastsatte dag fylder disse vilkaar, skal, om han besidder stemmeretsvilkaarene forøvrigt, indføres i mandtallet, saafremt han personlig fremsætter begjæring derom hos mandtalsføreren paa sit bosted iden kl. 8 aften den 8de august. Andre end de her nævnte personer, som ikke staar i valgsognets mandtal, kan ikke indføres i dette.

4. Mandtallet skal uden at gjennemgaaes af mandtalsnævnd foranstaltes udlagt til almindeligt eftersyn fra kl.8 morgen til kl.8 aften den 10de og 11te august. I løbet af denne tid maa klager over mandtallets indhold være indgivne til styret for stemmemødet (d.e. valgstyret). Mandtalslovens forskrifter om istandbringelse af lister og afgivelse af meddelelser vedkommende klagebehandlingen m.v. kommer paa grund af den korte tid for folkeafstemningens afholdelse ikke til anvendelse.

5. Kjendelser angaaende mandtallets indhold afsiges af stemmemødets styre 12te august.

6. Stemmeberettiget, som ved sidste stortingsvalg var indført i mandtallet for et valgsogn. Som han senere er fraflyttet, skal afgive stemme i det nævnte valgsogn. Stemmegivningen kan da ske uden personligt fremmøde,

found in the state census because at the time of the election in 1903 he had not completed his twenty-fifth year, or had not yet been domiciled in the country for five years, but who fulfills these conditions at the latest upon the day set for the balloting, shall be included in the census, in case he fulfills the other conditions for voting, and in case he personally makes a request to this effect of the chief of the census in the place where he lives at 8 P. M. on the 8th of August. Other persons than those here named who are not in the census of the electoral district, can not be included in it.

4. The census lists shall, without being examined by the census committee, be exposed to public view from 8 A. M. to 8 P. M., on the 10th and 11th of August. Within this period of time complaints regarding the contents of the census lists must be handed to the election board. The regulations of the census law concerning the making of lists and the giving of information concerning the handling of complaints, etc., can not be carried out on account of the shortness of time for the taking of the plebiscite.

5. Judgments concerning the contents of the census are rendered by the election board upon the 12th of August.

6. A person entitled to vote at the time of the last election of the Storting who was included in the census list of an electoral district from which he is later removed shall cast his vote in the said electoral district. The

i hvilket tilfælde de for forfald gjældende forskrifter finder tilsvarende anvendelse.

7. Er valgsognet delt i eller mellem flere kommuner, skal der i stemmemødets styre være saa mange medlemmer af hvert formandskab, som det ved stortingsvalget i 1903 var tilfældet. Er der senere foregaaet deling af kommune, bestemmer amtmanden, hvormange medlemmer der skal være fra hvert formandskab.

Er mandtalsførerens distrikt delt i eller mellem flere valgsogne, kan han i fornødent fald bemyndige et medlem af vedkommende stemmemødes styre til at forrette for ham i styre, hvori han selv ikke kan deltage.

8. Stemmegivningen bör, forsaavidt der ikke besluttes videregaaende deling af valgsognet, saavidt mulight foregaa i de samme dele af dette og paa de samme steder som ved sidste stortingsvalg. Hvor den ikke kan foregaa i samme lokale, bestemmes dette af stemmemødets styre.

9. Stemmesedlerne skal kun lyde paa enten ordet " ja " eller ordet " nei " (trykt eller skrevet). Er den stemmeberettigede enig i unionens opløsning, svarer han " ja," er han uening deri, svarer han " nei." Indeholder stemmeseddel andet end et af disse ord, skal den forkastes.

10. Naar stemmeoptællingen for det enkelte valgsogn er tilendebragt, skal styrets formand uopholdelig (om muligt telegrafisk) sende justisdepartementet indberetning om udfaldet.

voting may take place without appearing in person in which case the regulations concerning absentee voting are applied.

7. If the electoral district is divided between several communes the election board shall be made up of as many members from each communal board as was the case at the election of the Storting in 1903. If a division of the commune has taken place since then, the county magistrate decides how many members there shall be from each. If the district of the chief of the census is divided among several electoral districts, he may, in case of necessity, empower a member of the said election board to act for him where he himself can not be present.

8. The balloting should, in case further division of the election district is not decided upon, take place so far as possible, in the same parts thereof and in the same places as at the last election of the Storting. Wherever it can not take place in the same hall the place is decided upon by the election board.

9. The ballots shall merely be marked either with the word " yes " or " no " (printed or written). If the voter agrees to a dissolution of the union he answers " yes," if he disagrees he answers " no." If the ballot contains other than one of these words it shall be rejected.

10. When the counting of the votes for the separate electoral districts shall be finished, the chairman of the board shall immediately notify the department of justice (if possible by tele-

Regjeringen afgiver derpaa snarest muligt meddelelse til stortinget om stemmegivningen for hele riget.

11. Regjeringen bemyndiges til at undfærdige de nærmere forskrifter, som udkræves til afstemningens iverksættelse samt til at foreskrive lempninger i de sedvanlige regler, forsaavidt det paa grund af særlige forhold vilde være forbundet med uforholdsmæssige ulemper et følge disse.

graph). The government thereupon notifies the Storting as quickly as possible regarding the vote for the whole kingdom.

11. The government is empowered to make more detailed provisions necessary for the carrying out of the balloting as well as to make modifications in the usual regulations, in so far as it would be fraught with disproportionate difficulties to follow these regulations on account of special conditions.

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## *Circular of Instructions from the Department of Justice to the Registration Officers and Boards of Election. July 29, 1905* [1]

Stortinget har under 23de juli sidstleden fattet beslutning om, at der den 13de august førstkommende kl. 1 eftermiddag for hele riget skal finde sted en folkeafstemning, hvorved de, som har stemmeret efter grundloven, skal give svar paa det spørsmaal, om de er enige i den stedfundne opløsning af unionen eller ikke. Regjeringen er anmodet om at træffe de fornødne forføininger til afholdelse af denne folkeafstemning, ved hvilken de regler, som den gjældende lovgivning indeholder om fremgangsmaaden ved stortingsvalg, skal finde tilsvarende anveldelse, med forskjellige i beslutningen angivne lempninger.

Denne beslutning er ved regjeringens resolution af s.d. befalet tagen tilfølge og dette departement overdraget at træffe de til afstemningens

The Storting on July 23 ult. resolved that on the next 13th of August, at 1 P. M., a general popular vote shall be cast for the whole kingdom, whereby those who have suffrage according to the Constitution, shall answer the question if they agree or do not agree to the dissolution of the Union, which has taken place. The Government has been requested to take the necessary steps towards the casting of this popular vote, in accordance with the rules legally valid for the election of members of the Storting, with various modifications, as stated in the resolution.

This resolution has been sanctioned by the Government resolution of the same date, and this Department has been charged with the duty of taking fremme fornødne forføininger, derunder ogsaa at foreskrive yderligere fornødne lempninger i de almindelige regler om fremgangsmaaden ved valg.

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[1] *Unionens Opløsing*, p. 323.

Idet departementet lader følge aftryk af den nævnte stortingsbeslutning, hvortil henvises, skal man anmode hr. mandtalsføreren om uopholdelig at besørge denne paa virksomste maade bragt til almindelig kundskab, saasom gjennem opslag paa forskjellige steder og læsning fra kirkebakken.

Departementet skal endvidere til nærmere underretning og veiledning for hr. mandtalsføreren og valgstyret meddele følgende:

1. Ved afstemningen skal benyttes det mandtal, som blev istandbragt til stortingsvalget i 1903. Heri skal foretages de rettelser og ændringer, som omhandles i stortingsbeslutningens III, post 2, hvorhos der i sammes post 3 aabnes adgang til indførelse af stemmeberettigede, som siden sidste stortningsvalgs afholdelse har fyldt 25 aar eller i samme tidsrum har fyldt vilkaaret at have været bosatte i riget i 5 aar, og som personlig fremsætter begjæring derom hos mandtalsføreren paa sit bosted inden kl.8 aften den 9de august. Derimod vil der ikke være adgang til at indføre andre personer i mandtallet, altsaa f.eks. ikke saadanne, som ved en forglemmelse ikke kom ind i mandtallet i 1903, eller personer, som senere har opnaaet æresopreisning.

Hvad angaar stemmeberettigede,

the necessary steps towards the casting of the vote, and also of prescribing the necessary changes in the ordinary rules for the procedure in case of elections.

The Department encloses for reference a copy of the said Resolution of the Storting, and requests the Registration Officer to make it public immediately and in the most effective manner, for instance by posting at different places and by announcement at Church service.

The Department in addition to this makes the following announcement, as a further instruction to the Registration Officers and the Board of Election.

1. For the casting of the vote the census list prepared in 1903 for the election of the Storting shall be used, with such corrections and changes as are mentioned in the Resolution of the Storting, No. III, article 2. In addition permission is granted by article 3 for the registration of voters, who have reached the age of 25 since the last election of the Storting, or during the same period have filled the condition of residence in the country for five years, and who personally submit a request to that effect to the election officer at their legal residence before 8 P. M. August 9. There will be no occasion to enter other persons in the census list, for instance such as by mistake failed to register in 1903, or persons who have been rehabilitated since that time.

As regards citizens of age who have

som siden istandbringelsen af valgmandtallet i 1903 er flyttede fra et valgsogn til et andet, bliver der ingen forandring at foretage i mandtallet i anledning af den stedfundue flytning.

2. Den i overensstemmelse med forannævnte regler udbedrede og supplerede mandtal bliver ikke at gjennemgaa af nogen mandtalsnævnd, og mandtalslovens § 3 vil følgelig ikke for nogen del komme til anvendeelse ved denne anledning. Mandtallet skal være udlagt til almindeligt eftersyn paa mandtalsførerens kontor fra kl.8 morgen til kl.8 aften den llte august.

3. Klager over mandtallets indhold maa være indgivne til stemmemødets styre (ɔ:det sedvanlige valgstyre) inden kl.8 aften den 11te august. Liste over dem, som klagerne vedkommer, behøver ikke at udlægges, ligesaalidt som de i lovens § 6, sidste led, omhandlede underretninger behøver at gives.

4. Kjendelser i anledning af indkomme klager afsiges af stemmemødets styre i møde den 12te august.

Om styrets afsigelse af kjendelser i stemmeretsspørsmaal foreskriver som bekjendt mandtalsloven (§ 13, sidste punktum), at mandtalsføreren altid skal være med. Af hensyn hertil er det i stortingsbeslutningens III, post 7, andet led, bestemt, at mandalsfører, hvis distrikt er delt i eller mellem flere valgsogne, skal have ret til i fornødent fald at bemyndige et medlem af vedkommende stemmemødes

moved from one election precinct to another since the registration of 1903, no change shall be made in the lists on account of such removal.

2. The corrected and supplemented registration record, in accordance with the preceding rules, shall not be revised by any Board of Election; consequently article 3 of the election law will in part not be applied on this occasion. The registration record shall be open to public inspection in the office of the registration officer from 8 A. M. to 8 P. M. on August 11.

3. Complaints of the contents of the registration record must be submitted to the Board of Election (i. e. the ordinary Board of Election) before 8 P. M., August 11. No record of those affected by the complaints need be exhibited, and the notifications, prescribed in article 6 of the law, need not be made.

4. Decisions with regard to the complaints received shall be rendered by the Election Board in a meeting on August 12.

With regard to decisions of questions connected with elections it is common knowledge that the Registration law (article 13, last period) prescribes that the election officer shall always be present. On this account the Resolution of the Storting III, article 7, 2d part, decrees that an election officer, whose district is divided in or between several precincts shall be permitted in case of need to au-styre til at forrette for ham i styre, hvori hen ikke selv kan deltage.

Stemmemødets styre svarer til det i mandtalsloven omhandlede valgstyre og bestaar saaledes af mandtalsføreren (mandtalsførerne) og valgsognets nuværende formænd (jfr. mandtalsloven § 13). Reglerne om de særskilte valgstyrer (lovens § 14) finder tilsvarende anvendelse, hvor der foregaar stemmegivning paa flere steder i valgsognet.

Hvor valgsognet er delt i eller mellem flere kommuner, skal styret bestaa — foruden af mandtalsføreren (mandtalsførerne) — af saa mange af de nuværende medlenmer af hvert formandskab, som tilfældet var ved sidste stortingsvalg. Er der senere foregaaet deling af kommune, bestemmer amtmanden, hvormange medlemmer der skal være fra hvert formandskab.

Det er mandtalsføreren, hvem det i første linje paaligger at sørge for, at stemmemødets styre træder sammen for at vælge formand of iøvrigt igangsætte sin virksomhed. Han bør uopholdelig træffe forføining til styrets sammenkaldelse, i fornødent fald ved hjælp af telegraf, telefon eller gjennem ekspres.

6. Med hensyn til stederne for afstemningens foretagelse er det i stortingsbeslutningen bestemt, at stemmegivningen — forsaavidt ikke videregaaende deling af valgsognet besluttes

thorize a member of the Election Board in question to act on his behalf at a meeting in which he can not himself be present.

The board of the meeting corresponds to the board mentioned in the Registration law, consisting of the registration officer (or officers) and the present selectmen of the election district (cf. the Registration law, article 13). The rules for special election boards (article 14) shall be similarly applied where there are several precincts in the election district.

Where the election district is divided in or between several municipalities the board shall consist — besides of the registration officer (or officers) of as many of the present members of the selectmen of each parish council, as was the case at the last election of the Storting. If, since then a parish has been divided, the County sheriff (commissioner) will decide about the number from each parish council.

It is primarily the duty of the registration officer to see to it that the Election board meets in order to elect a chairman and otherwise to start its activity. He shall immediately take steps to convene the board, if necessary using telegraph, telephone or express.

6. As regards the polling place, the Resolution of the Storting prescribes that the vote shall, as far as possible, be cast in the same parts of the election districts and at the same places

af stemmemødets styre eller mandtalsføreren — saavidt muligt bør foregaa i de samme dele af valgsognet og paa de samme steder som ved sidste stortingsvalg. Det ved valget i 1903 benyttede husrum bør anvendes, hvis der nu er adgang til at bruge det; i andet fald vil det være stemmemødets styre eller mandtalsføreren overladt at vælge et andet, saavidt muligt nærliggende lokale.

Bestemmelse om yderligere deling af afstemningen og om valg af lokale bør fattes af valgstyret, hvis dette hurtig nok kan sammenkaldes, kun i modsat fald af mandtalsføreren. Da det ar af særlig vigtighed, at deltagelsen i afstemningen bliver mest mulig omfattende, bør stemmegivningen deles overalt, hvor adgangen til deltaglese derved væsentlig kan lettes. Bestemmelse om deling og om lokale bør snarest træffes og offentliggjøres.

7. Styret for stemmemødet bør straks udfærdige indkaldelse til de stemmeberettigede.

I indkaldelsen anmodes de stemmeberettigede om at fremmøde til den ved stortingets beslutning af 28de juli 1905 besluttede folkeafstemning for at stemme om, hvorvidt de er enige i den stedfundne opløsning af unionen eller ikke.

Dernæst skal gjøres rede for det eller de steder, hvor afstemningen skal foregaa, for tiden for mødets begyndelse og for det klokkeslet, da stemmegivningen skal være tilendebragt.

Det bør i indkaldelsen bemerkes, at

as at the last election of the Storting — provided a further subdivision has not been decided upon by the Election board or the registration officer. The building used at the election of 1903 shall be used if possible; otherwise the Election board or the registration officer will select another locality as near by as possible.

Decision with regard to further division of the voting and choice of polling place shall be made by the Election board, if it can be convened quickly enough, otherwise by the registration officer. As it is of special importance, that the participation in the voting becomes as universal as possible, the election should be divided, wherever this will facilitate the participation. Decision on division and polling places should be made and announced as soon as possible.

7. The Election board shall immediately issue the summons to the voters.

In the summons the voters are requested to participate in the popular vote [referendum] decided upon by the Storting, July 28, 1905, in order to show by their vote whether they agree or do not agree in the existing dissolution of the Union.

Directions shall next be given with regard to the polling place or places, where the vote is to be cast, the time of the opening of the poll and the hour of its finish.

It should be mentioned in the sum-denne gjælder alle stemmeberettigede, som ved stortingsvalget i 1903 var indført i mandtallet for valgsognet, selv om de i mellemtiden har fraflyttet dette,— men at den omvendt ikke gjælder stemmeberettigede, som i dette tidsrum har tilflyttet valgsognet, idet disse maa udøve sin stemmeret i det valgsogn, i hvis mandtal de stod ved valget i 1903.

I de tilfælde, hvor der skal kunne stemmes paa flere steder i valgsognet, skal indkaldelsen desuden gjøre rede for, hvem der kan stemme paa de forskjellige steder. Ogsaa forsaavidt er det stortingsbeslutningens forudsætning, at det skal komme an paa, hvor de stemmeberettigede var bosatte ved sidste stortingsvalg, ikke paa deres nuværende bopæl, og indkaldelsen bør udtrykkelig gjøre opmerksom herpaa.

8. Den ved stortingsvalget anvendte valgbog bliver ogsaa at benytte ved folkeafstemningen. Ved stemmemødets begyndelse skal formanden for styret (det sedvanlige eller særskilte) give tydelig tilkjende, at mødet er sat, og derefter oplæse grundlovens §§ 50–53 samt stortingets beslutning af 29de juli sidsleden om folkeafstemning.

Stemmegivningen finder derpaa sted, ganske i overenstemmelse med mandtalslovens regler, alene med den afvigelse, at stemmesedlerne kun skal lyde paa enten ordet " Ja " eller ordet " Nei " (trykt eller skrevet). Specielt bemerkes, at stemmesedlen ikke

mons that this refers to all voters, entered in the election record of the district at the election of the Storting of 1903, even if they have moved from the district in the meantime; but that it does not on the other hand refer to voters who have moved into the district during this time, these persons having to exercise their right of franchise in the election district, in whose record they were entered at the election of 1903.

In those cases, where the vote is to be polled in different places in the district, the summons shall in addition, announce who shall cast their vote at the various places. The assumption of the Resolution of the Storting is also in this respect, that it depends on where the voters were residing at the last election of the Storting, and not where they are living at present, and the summons should expressly call attention to this.

8. The record employed at the election of the Storting shall be used also at the referendum. The chairman of the Board (usual or special) shall at the beginning of the election plainly announce that the meeting is opened, and he shall then read articles 50–53 of the Constitution, together with the Resolution of the Storting of July 29, concerning the referendum.

The vote is then cast in exact accordance with the rules of the Registration law, except that the ballot contains only the word " Yes," or the word " No " (printed or in writing). Special attention is called to the fact that the ballot must not be signed.

maa underskrives. Forøvrigt finder §§ 17–20 i mandtalsloven tilsvarende anvendelse, ligesaa § 22, hvorved merkes, at stemmeseddel, som indeholder andet end ordet "Ja" eller ordet "Nei," skal forkastes.

9. Forsaavidt ikke de fra departementet afsendte konvolutter med offentligt stempel kommer stemmemødets styre ihænde tidsnok til at benyttes ved afstemningen, vil styret have at træffe forføining til selv at anskaffe konvolutter i tilstrækkeligt antal. Hvor det paa nogen maade er gjørligt at drage omsorg herfor, bør konvolutterne være aldeles ens i størrelse, form og farve, ligesom de under enhver omstændighed maa være ugjennemsigtige.

De ved afstemningen tiloversblevne stemplede konvolutter bliver ikke at tilbagesende til departemenetet.

10. Med hensyn til fraværendes indsendelse af stemmeseddel med forfaldsanmeldelse gjælder forskrifterne i mandtalslovens § 23, jfr. tillægsltov af 10de mars 1903, se ogsaa lovens § 26. Paa grund af de extraordinære forhold har departementet med hjemmel af stortingsbeslutningens III, post 11 bestemt, at forfaldsanmeldelse i de samme former ogsaa skal kunne indsendes af personer, som midlertidigt opholder sig i udlandet.

Stemmeberettiget, som ved sidste stortingsvalg stod indført i mandtallet for et valgsogn, som han senere er fraflyttet, skal som oven anført ligefuldt afgive stemme i nævnte valg-

Otherwise articles 17–20 of the Registration law are followed, and also article 22, whereby it is to be observed, that a ballot containing anything but the word "Yes" or the word "No" shall be rejected.

9. In case the envelopes carrying the official seal, which have been forwarded by the Department, do not reach the Board early enough to be used at the voting, the Board will have to procure a sufficient number of envelopes. Where it is at all possible the envelopes should be entirely alike as to size, shape and color, and they must under no circumstance be transparent.

The sealed envelopes not used at the voting, need not be returned to the Department.

10. With regard to ballots forwarded by absent voters, accompanied by statement of legal excuse, the rules of the Registration law, article 23, are to be applied. (Cf. supplementary law of March 10, 1903, also article 26 of the law.) The Department has on account of the extraordinary circumstances, with the sanction of the Resolution of the Storting III, article 11, decided that statements of legal excuse shall also be accepted from persons who are temporarily sojourning abroad.

A qualified voter, who at the last election of the Storting was registered in a district from which he has moved later, shall, as mentioned above, cast his vote in said district; but he may sogn; men han har adgang til at gjøre det uden personligt fremmøde, i hvilket tilfaelde de for forfald gjaeldende forskrifter finder tilsvarende anvendelse. Han vil altsaa i følgebrevet have at redegjøre for flytningen.

Endvidere vil man henlede opmerksomheden paa, at hvor der inden et valgsogn paa landet er foregaaet flyrning, saaledes at den stemmeberettigede er fraflyttet den egn i prestegjældet, ved hvis særskilte valgting han i 1903 afgav stemme, of nu bor i en anden egn i samme prestegjæld, vil han ikke behøve at møde personlig paa stemmegivningsstedet for den egn, som han er fraflyttet, og han vil da altsaa kunne stemme med forfaldsanmeldelse som nævnt. Derimod vil han under samme forudsætning i by have at stemme personlig i den kreds, hvor han tidligere har boet.

11. Med hensyn til bedømmelsen af forfald anser departementet det som en selvfølge, at denne ved nærvænde leilighed maa foregaa paa lempelig maade, saavel paa grund af aarstiden, som fordi de stemmeberettigede kun faar meget kort varsel til folkeafstemningen. Derimod maa man selvfølgelig paase strengt overholdt de regler i mantalsloven, som tilsigter at betrygge valgets renhed.

12. Reglerne i mandtalslovens §§ 27–32 samt §§ 36 og 37 finder tilsvarende anvendelse ved folkeafstemningen. Kan stemmegivningen ikke

do this without personal appearance at the polls, in which case the rules covering valid excuse will apply correspondingly. That is to say he will have to explain his removal.

Attention is further called to the fact, that in case of change of residence inside of the election district in the county, when a qualified voter has moved from the section of the parish at whose separate precinct he cast his vote in 1903, and at present lives in another part of the same parish, said person need not appear personally at the polling place of the section he has left. He may in other words, forward his ballot as mentioned above.

11. If, however, he resides in a city, he shall under the same supposition cast his vote personally in the precinct where he lived before. With regard to legal excuse the Department regards it as self-evident that on this occasion the interpretation of the law will be lenient; this is owing both to the character of the season and to the very short notice given of the popular vote [referendum]. On the other hand it goes without saying that rules tending to secure the honesty of an election must be strictly observed.

12. The rules laid down in articles 27–32, 36 and 37 of the registration law will find corresponding application at the referendum. If the voting

tilendebringes den 13de august, fortsættes dan næste dag til det klokkeslet, som valgstyret bestemmer, og finder isaafald reglerne i mandtalslovens § 39 om ret til arbeidshvile anvendelse.

Naar stemme optællingen for valgsognet er tilendebragt, vil stemmemødets styre have at indføre i mødets bog (valgbogen), hvormange stemmer der er afgivet, som lyder paa " Ja " og hvormange, som lyder paa " Nei."

Styrets formand skal derpaa uopholdelig paa hurtigste maade, om muligt ved telegraf, sende justisdepartmentet indberetning om afstemningens udfald. Han skal i indberetningen ogsaa meddele antallet af de stemmeberettigede, som staar i valgsognets mandtal, og hvis stemmeret ikke er suspenderet; derhos skal han meddele, hvormange stemmesedler afgivne af mødende eller fraværende der er blevne forkastede af styret.

Endelig skal formanden snarest muligt efter mødets afslutning indsende til justisdepartementet en bekræftet afskrift af det, som blev bogført paa mødet.

13. Der er ved stortingsbeslutningens III, post 11, givet regjeringen bemyndigelse til at foreskrive lempninger i de opstillede regler, forsaavidt det paa grund af særlige forhold vilde være forbundet med uforholds maessige ulemper at følge disse. Ved regjeringens resolution er dette departement bemyndiget til paa regjeringens vegne at traeffe disse afgjørelser. Der vil derfor være adgang til, hovor særlige omstaendigheder

can not be finished August 13, it is to be continued the next day until the hour set by the Election board, and in that case the rules of article 39 covering the right of proper rest between working hours are to be applied.

When the votes for the election district have been counted the Election board shall enter in the record of the meeting (the election record) how many votes of " Yes " and votes of " No " have been cast.

The chairman of the Board shall immediately in the quickest manner, if possible by wire, forward to the Department of Justice an account of the result of the vote. He shall also in his report give the number of qualified voters as shown by the record, and whose right of citizenship has not been lost. He shall further state how many votes cast by persons present or absent were rejected.

The chairman shall finally, as soon as possible after the meeting, forward to the Department of Justice a sworn copy of the record of the meeting.

13. In the Resolution of the Storting III, article 11, the Government has been authorized to prescribe modifications of the rules in so far as, on account of special conditions, their observance would involve unusual inconveniences. This Department is, by resolution of the Government authorized to make such decisions on its behalf. Where special conditions seem to demand it, it will then be possible to make application to this De-

maatte gjøre det paakrævet, ved andragende til dette departement — somi fornødent fald kan sendes telegrafisk — at søge udvirket lempninger i de ellers gjældende regler. Af saadanne lempninger er af stortingskomiteen antydet at benytte et par morgentimer før gudstjenesten til stemmegivningen.

14. De særlige udgifter, som afstemningens iverksættelse maatte paadrage, vil blive godtgjorte af statskassen efter regning til nærværende departement. Man forudsætter, at der af alle vedkommende vil blive vist al ønskelig omhu for at begrænse udgifterne til, hvad der er rimeligt.

*Kristiania den 29de juli* 1905.

E. Hagerup Bull,
G. Hallager.

partment — if necessary by wire — in order to secure modifications of the existing rules. An instance of this kind has been suggested by the committee of the Storting, viz. to use a couple of hours in the morning, before church service, for the casting of the vote.

14. Special expenses, caused by the carrying out of the referendum will be borne by the Treasury according to bill rendered to this Department. It is taken for granted that all concerned will take care to restrict the expenses in a reasonable degree.

*Kristiania, July* 29, 1905.

E. Hagerup Bull,
G. Hallager.

## *Circular of the Department of Ecclesiastical Affairs to the Clergy. July* 29, 1905 [1]

I anledning af den folkeafstemning, som er bestemt at skulle finde sted over det hele land søndag den 13de august d.s.kl. 1 eftermiddag, skal man anmode Dem om at indrette gudstjenesten den dag saaledes, at den kan være afsluttet i betimelig tid før nævnte klokkeslet, og derfor bl.a. saavidt muligt søge undgaaet, at ministerielle forretninger berammes til den dag. Lader dette sig ikke helt gjøre, bør de ialfald i fornøden udstrækning henlaegges til en senere tid paa dagen.

Hvor hovedkirken benyttes som

In connection with the referendum which is ordered to take place in the entire country Sunday August 13, at 1 P. M., you are requested to so arrange the service that day, that it will be finished in good time before that hour and consequently to avoid, as far as possible, appointment of ministerial business for that day. If this can not be entirely observed such business should in sufficient degree be postponed until later in the day.

Where the main church is used as

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[1] *Unionens Opløsning,* p. 326.

afstemningslokale, bør gudstjeneste forrettes i den. Hvis ellers den kirke, hvor gudstjeneste skulde holdes, er saaledes beliggende i forhold til nærmeste afstemningslokale, at det kan forudsees, at gudstjenestem vil hindre deltagelsen i afstemningen, anmodes De om istedetfor forretningen i kirken at afholde en kort gudstjeneste i afstemningslokalet eller, hvor der er flere saadanne, i et af disse. Uopsættelige ministerielle forretninger faar da ogsaa i dette tilfælde udføres i kirken paa en senere tid af dagen.

*Kristiania den 29de juli* 1905.

Christian Knudsen,
Hans Grundt.

polling place, the service should be held there. If, however, the church in which service was to be performed, is so located with reference to the nearest polling place, that the service is likely to interfere with participation in the referendum, you are requested to have a short service at the polling place, or one of them — if there are several — instead of the church service. Unavoidable ministerial business will then also in this case have to be attended to in the church at a later hour of the day.

*Kristiania, July* 29, 1905.

Christian Knudsen,
Hans Grundt.

## *Report of the Norwegian Department of Justice Regarding the Plebiscite Held August* 13/21, 1905 [1]

. . . . .

Med hensyn til afstemningens iverksættelse bemerkes, at nærvaerende departement allerede samme aften, som propositionen var bifaldt af stortinget og dettes beslutning herom tilfølgetaget, telegrafisk gjorde de udenbys amtmænd bekjendt med beslutningen. Samtidig bad man foreløbig underretning derom snarest — i fornødent fald pr. telegraf eller telefon — meddelt samtlige mandtalsførere i vedkommende amt med anmodning om uopholdelig at bringe det til almindelig kundskab paa virksomste maade, navnlig ved læsning fra kirkebakken, om muligt allerede førstkom-

. . . . .

With regard to the carrying out of the balloting it may be remarked, that this Department notified the out-of-town county magistrates by telegraph of the resolution of the 7th the same evening that the proposition was approved by the Storting and its resolution concerning it passed. At the same time we requested that all of the chiefs of the census in the county in question should be immediately notified — if necessary by telegraph or by telephone — and be requested immediately to make the matter publicly known in the most effective manner, namely, by proclamation from the mende søndag (30te juli). Man gjorde i denne foreløbige meddelelse opmerksom paa, at afstemningen skulde foregaa efter det til stortingsvalget i 1903 ictandbragte mandtal. . . .

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[1] *Unionens Opløsning*, pp. 304, 310.

Den følgende dag — den 29de juli — udfærdigede departementet til samtlige mandtalsførere og valgstyrer en rundskrivelse, hvori man nærmere redegjorde for indholdet af stortingets beslutning angaaende folkeafstemningen og gav fornøden veiledning med hensyn til fremgangsmaaden ved denne m.v. Man vedlagde rundskrivelsen aftryk af stortingetsbeslutningen til opslag og omdeling omkring i distriktet, samt — til opslag i og ved valglokalerne — plakater indeholdende forklaring om, hvorledes stemmeseddelen skulde lyde (enten ordet " ja " eller ordet " nei "). I rundskrivelsen bad man specielt paaseet strengt overholdt de regler i mandtalsloven, som tilsigter at betrygge valgets renhed.

Ved den afholdte folkeafstemning har der været afgivet stemme af 371, 911 stemmeberettigede borgere, nemlig af 281,468 i landdistrikterne og af 90,443 i byerne. Af de afgivne stemmer blev forkastet 3,519 (henholdsvis 1,612 og 1,907), medens 368,392, nemlig 279,856 i landdistrikterne og 88,536 i kjøbstæderne, blev godkjendt. Af de sidste lød 368,208 paa ja, 184 paa nei.

church steps, if possible, upon the first Sunday (July 30). In this temporary notification attention was called to the fact that the balloting was to take place according to the census lists compiled for the election of the Storting in 1903. . . .

The following day — 29th July — the department prepared a circular to all the chiefs of the census and election boards, in which further information was given concerning the content of the Storting resolution concerning the plebiscite and in which necessary guidance in regard to the manner of procedure, etc., was given, to which circular was appended a copy of the resolution of the Storting to be posted and distributed throughout the district, as well as public placards, to be posted in and nearby the election halls, containing explanations regarding the wording of the ballots (either the word " yes " or the word " no "). In the circular was contained a request to pay specially strict attention to the carrying out of those regulations of the census law which aimed at the safeguarding of the purity of the election.

At the plebiscite which was taken, 371,911 citizens having the right to vote cast their votes, 281,468 in the country districts and 90,443 in the city. Of the votes cast, 3519 were rejected (1612 and 1907 respectively), whereas 368,392, of which 279,856 in the country districts and 88,536 in the cities, were cast. Of this 368,208 read " yes " and 184 read " no."

Fordelt paa landdistrikterne og kjøbstæderne stiller disse tal sig saaledes, at der blev afgivet

i kjøstæderne 88,473 pa-stemmer, mer, 121 nei-stemmer,

i kjøbstæderne 88,473 ja-stemmer, 63 nei-stemmer.

Idet man forøvrigt henviser til medfølgende tabeller 1–3, skal man til sammenligning anføre, at medens de ved folkeafstemningen den 13de august 1905 afgivne stemmer udgjør 85, 4 pct. af de stemmeberettigede, var det tilsvarende tal ved stortingsvalget i 1903 alene 55,5 pct. Det skal tilfoies, det samtlige opgaver over antalt of stemmeberettigede, saavel i 1905 som i 1903, gjælder de effektive stemmeberettigede, idet alle de, hvis stemmeret var suspendert, er trukket fra.

I henhold til det anførte tillader man sig at indstille:

At en gjenpart af nærværende foredrag om den den 13de august 1905 afholdte folkeafstemning m.v. bliver at tilstille stortinget.[1]

Divided among the country districts and the cities, these numbers show that

In the country districts there were cast 279,735 votes in the affirmative, 121 in the negative.

In the cities there were cast 88,473 affirmative votes; 63 negative votes.

While referring for the rest to the accompanying tables 1 to 3, we remark for the sake of comparison, that while the votes cast at the plebiscite on August 13, 1905, constitute 85.4 per cent of those entitled to vote, the corresponding number at the election of the Storting in 1903 was only 55.5 per cent. It should be added that all the lists of the number of those entitled to vote in 1905, as well as 1903, include only the active voters, since those whose right to vote had been suspended had been subtracted.

With respect to the above we beg to propose:

That a copy of the above report concerning the plebescite taken on August 13, 1905, be laid before the Storting.

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[1] The further official totals as given in Table 3, p. 322, are:

| *Number entitled to vote* | *Number voting* | *Per cent* | *Rejected* | *Accepted* |
|---|---|---|---|---|
| 435,376 | 371,911 | 85.4 | 3,519 | 368,392 |

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* Prepared by Miss Alice M. Ball of the Division of International Law of the Carnegie Endowment for International Peace.

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